
MINUTES OF THE PROCEEDINGS

OF

THE COUNCIL

OF THE

CITY OF PITTSBURGH

FOR THE YEAR

1999

VOLUME 133-A

TABLE OF CONTENTS

<u>TITLE</u>	<u>PAGE</u>
Address and Remark	1
Cohen, Dan	1
Diven, Michael	2
Ferlo, Jim	3
Hertzberg, Alan	6
McDonald, Valerie	9
O'Connor, Bob	11
Onorato, Dan	12
Ricciardi, Gene	14
Udin, Sala	16
 Agreement	 18
Agreement (Amending)	31
Appointment	34
Bond	38
Budget	38
Capital Budget	39
Capital Budget (Amending)	41
Communication	45
Conditional Use Exception	49
Contract	51
Contract (Amending)	61
Cooperation Agreement	63
Cooperation Agreement (Amending)	69
Disposition Contract	70
Easement	72

Encroachment	72
Encroachment (Amending)	78
Encroachment (Repealing).....	79
Fees.....	79
Grant.....	79
Grant (Amending).....	82
Historic Designation.....	84
Lease.....	92
Lease Agreement.....	93
License Agreement.....	94
Miscellaneous.....	94
Motion.....	108
Name Change.....	111
Petition.....	112
Pledgee.....	112
Re-Appointment.....	116
Read and Adopted.....	46
All Members.....	117
Cohen, Dan.....	119
Diven, Michael.....	121
Ferlo, Jim.....	124
Hertzberg, Alan.....	127
McDonald, Valerie.....	130
O'Connor, Bob.....	138
Onorato, Dan.....	144
Ricciardi, Gene.....	146
Udin, Sala.....	148
Residential Parking Permit.....	150

Sale of Property.....	152
Sale of Property (Acceptance).....	156
Sale of Property (Amending).....	156
Sale of Property (Conveyance).....	156
Sale of Property Dedication.....	157
Sale of Property (Deed).....	158
Sale of Property (Petition).....	158
Sale of Property (Quit Claim Deed).....	159
Sale of Property (Repealing).....	159
Sale of Property (URA).....	160
Sewage Facilities Plan.....	160
TIF.....	160
Transfer.....	161
Transfer (Amending).....	170
Trust Fund.....	170
URA.....	171
Vacation.....	176
Warrant.....	178

Address and Remarks

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Cohen, Dan	Briefing Council on the Agreement with AT&T on a franchise renewal for cable television	1919
Cohen, Dan	Discussion on Bill 1823 - Contract for the lease of Part of Parcel 2, 3rd Ward, Dist. 6 Bedford Avenue at Crawford Street (Parking Garage) (Maglev)	1268
Cohen, Dan	Discussion on Bill 1383, resolution requesting the City Solicitor to file a legal action, in either state or federal court, to cover damages and other relief by various gun manufactures who fail to institute specified safety guidelines	1004
Cohen, Dan	Discussion Bed and Breakfast Legislation Bill No, 948	441
Cohen, Dan	Discussion of proposed swimming pool fees	312
Cohen, Dan	Discussion on Bill 2008, An Ordinance supplementing the Pittsburgh Code, Title 5; Article 1: Administration; Chapter 503: Enforcement and control by adding section 503.14 Regulation of Bicycle Traffic in Downtown and Business Districts.	1605
Cohen, Dan	Discussion of the asphalt and resurfacing of city streets	435
Cohen, Dan	Discussion on Tax Incremental Financing Legislation Forbes/Fifth Retail	1595

Address and Remarks

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Cohen, Dan	Discussion on Bill 2212, a veto from Tom Murphy Mayor, on Bill 1759, An ordinance amending the Pittsburgh Code, Title Two, Fiscal Article I, Administration< Chapter 201, Tax Increment Financing Registration	1723
Cohen, Dan	Letter sent to the Chief McNeilly requesting information as to why Cookie Coleman has been removed as Coordinator of the Citizens Academy	1146
Cohen, Dan	Requesting a weekly report from Director Kraszewski on the issue of filing the 52 positions of Public Works	72
Diven, Michael	Discussion of proposed swimming pool fees	312
Diven, Michael	Discussion on Tax Incremental Financing Legislation Forbes/Fifth Retail	1595
Diven, Michael	Discussion Bill 1581 - Cooperation Agreement with the URA of Pittsburgh providing for the transfer of \$450,000 for North Shore Riverfront Development, Council Districts 1 & 6	1020
Diven, Michael	Discussion on Bill 1823 - Contract for the lease of Part of Parcel 2, 3rd Ward, Dist. 6 Bedford Avenue at Crawford Street (Parking Garage) (Maglev)	1268
Diven, Michael	Discussion regarding employees ion the service that may be called to Kozovo	700
Diven, Michael	Discussion - Public Works, snow removal	6

Address and Remarks

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Ferlo, Jim	Discussion on Bill 1383, resolution requesting a the City Solicitor to file a legal action, in either state or federal court, to cover damages and other relief by various gun manufactures who fail to institute specified safety guidelines	1003
Ferlo, Jim	Discussion - Bill 846 and 994 extends the city's earned income wage tax to non-resident professional athlete, ballplayers	247
Ferlo, Jim	Discussion on Bill 2040 - Directing the City Solicitor to seek an injunction to prevent the transfer of the Pittsburgh International Airport and the Allegheny County Airport	1492
Ferlo, Jim	Discussion on the Historic Designation of the various Pittsburgh Public School Buildings	1933
Ferlo, Jim	Discussion - Public Works, snow removal	4
Ferlo, Jim	Discussion - Recommittal of Bill 1450, Resolution providing for the denial of the addition of the property located at 2500-2700 East Carson Street, North Side to the existing East Carson Street Historic District, under Section 513 of Chapter 1007 of the Code of Ordinances	1011

Address and Remarks

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Ferlo, Jim	Discussion on Bill 1792 - Authorizing the urban Redevelopment Authority to submit an application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant in the amount of \$10,000,000.00 for the Marketplace at Fifth and Forbes Project, District 6	1201
Ferlo, Jim	Discussion 1421 - Disposition of Land by and between URA and UPMC Health System	661
Ferlo, Jim	Discussion regarding vandalism graffiti	455
Ferlo, Jim	Discussion on Bill 1895 - An Ordinance amending Ordinance No. 28 of 1998 entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article I, Administration, Section 201.11, Tax Increment Financing Registration," by changing the percentage of city residents to be hired from 50% to 35%	1296
Ferlo, Jim	Discussion - Tax Increment Financing PNC and Mellon	1590
Ferlo, Jim	Discussion Bill 1581 - Cooperation Agreement with the URA of Pittsburgh providing for the transfer of \$450,000 for North Shore Riverfront Development, Council Districts 1 & 6	1016
Ferlo, Jim	Discussion - regarding the University of Pittsburgh Medical Center for their sports complex	661

Address and Remarks

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Ferlo, Jim	Discussion on Bill 1791 - Urban Redevelopment Authority of Pittsburgh to pursue a Tax Incremental Financing Proposal for portions of the Inner Triangle Redevelopment Area, District 6	1201
Ferlo, Jim	Discussion magnetic Levitation Project proposed in the Hill District	1556
Ferlo, Jim	Discussion regarding the sunshine act that applies to public comment at council proceedings	472
Ferlo, Jim	Discussion the reconsideration of Bill No. 2040 - resolution seeking an injunction to prevent the transfer of Pittsburgh International	1544
Ferlo, Jim	Discussion - Home Rule Charter referendum modifying the duties and responsibilities of the Civilian Review Board	64
Ferlo, Jim	Discussion - Nabisco bakery in East Liberty	69
Ferlo, Jim	Discussion on Bill 2212, a veto from Tom Murphy Mayor, on Bill 1759, An ordinance amending the Pittsburgh Code, Title Two, Fiscal Article I, Administration< Chapter 201, Tax Increment Financing Registration	1723
Ferlo, Jim	Discussion of proposed swimming pool fees	310
Ferlo, Jim	Discussion - Magnetic Levitation Project, Hill District residents concerns	1556
Ferlo, Jim	Discussion on Tax Incremental Financing Legislation Forbes/Fifth Retail	1590

Address and Remarks

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Ferlo, Jim	Discussion on Bill 2040 - Directing the City Solicitor to seek an injunction to prevent the transfer of the Pittsburgh International Airport and the Allegheny County Airport	1501
Ferlo, Jim	Discussion - Nabisco Plan in East Liberty, joining the Steel Valley Authority	96
Ferlo, Jim	Discussion Community Block Grant budget process	431
Ferlo, Jim	Discussion - regarding the University of Pittsburgh Medical Center for their sports complex	661
Ferlo, Jim	Discussion - Fifth and Forbes Avenue Proposal	1355
Ferlo, Jim	Discussion - Swimming pools opening early due to the high temperatures and the tragedy of a child drowning	974
Ferlo, Jim	Informing council of a new national organization that is now called the U.S. Cuba Sister cities Association	510
Hertzberg, Alan	Discussion on Bill 1823 - Contract for the lease of Part of Parcel 2, 3rd Ward, Dist. 6 Bedford Avenue at Crawford Street (Parking Garage) (Maglev)	1266
Hertzberg, Alan	Discussion - Committee Chair Report - Public Works, Snow removal	34
Hertzberg, Alan	Discussion regarding the sunshine act that applies to public comment at council proceedings	470

Address and Remarks

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Hertzberg, Alan	Discussion - Bill 1793 - Urban Redevelopment Authority of Pittsburgh to pursue a Tax Incremental Financing Proposal for a Redevelopment Area to be formed on the South Shore of the Monongahela River (Station Square Phase II Development, District 2 and 3	1202
Hertzberg, Alan	Discussion on Bill 2212, a veto from Tom Murphy Mayor, on Bill 1759, An ordinance amending the Pittsburgh Code, Title Two, Fiscal Article I, Administration< Chapter 201, Tax Increment Financing Registration	1730
Hertzberg, Alan	Discussion - Pittsburgh Penguins bankruptcy	744
Hertzberg, Alan	Discussion on Bill 1383, resolution requesting the City Solicitor to file a legal action, in either state or federal court, to recover damages and other relief by various gun manufactures who fail to institute specified safety guidelines	1006
Hertzberg, Alan	Discussion - Informing council of a business that has been granted a permit to run a banquet hall and know it is providing nude dancing	720
Hertzberg, Alan	Discussion on Bill 2040 - Directing the City Solicitor to seek an injunction to prevent the transfer of the Pittsburgh International Airport and the Allegheny County Airport	1503
Hertzberg, Alan	Discussion on Bill 2040 - Directing the City Solicitor to seek an injunction to prevent the transfer of the Pittsburgh International Airport and the Allegheny County Airport	1492

Address and Remarks

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Hertzberg, Alan	Discussion magnetic Levitation Project proposed in the Hill District	1560
Hertzberg, Alan	Discussion - LTV Site TIF	251
Hertzberg, Alan	Discussion - Public Works, snow removal	6
Hertzberg, Alan	Discussion - regarding the University of Pittsburgh Medical Center for their sports complex	661
Hertzberg, Alan	Discussion on Tax Incremental Financing Legislation Forbes/Fifth Retail	1590
Hertzberg, Alan	Discussion Bill 1581 - Cooperation Agreement with the URA of Pittsburgh providing for the transfer of \$450,000 for North Shore Riverfront Development, Council Districts 1 & 6	1018
Hertzberg, Alan	Discussion on the Pittsburgh Penguins	879
Hertzberg, Alan	Discussion of proposed swimming pool fees	314
Hertzberg, Alan	Discussion on Bills 1303 and 1305, West End Improvements	446
Hertzberg, Alan	Discussion - Robbery at Cliff Hangers Saloon	545
Hertzberg, Alan	Discussion on Mayor Neighborhood Needs Monies Distribution	1627
Leeper, Steve	Discussion - at the request of council Mr. Leeper provided an overview of Pittsburgh Penguins situation	801

Address and Remarks

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
McDonald, Valerie	Commending Chuck Powel and Mr. Carl Cooper on their promotions with the URA, Mr. Powell has been elevated to the position of Director of Administration and Mr. Carl Cooper has been elevated to the Director of Real Estate	576
McDonald, Valerie	Discussion on Bill 2040 - Directing the City Solicitor to seek an injunction to prevent the transfer of the Pittsburgh International Airport and the Allegheny County Airport	1492
McDonald, Valerie	Discussion magnetic Levitation Project proposed in the Hill District	1557
McDonald, Valerie	Discussion - Parking Authority miscommunication that the residential permit parking program was running at a deficit	53
McDonald, Valerie	Discussion regarding the sunshine act that applies to public comment at council proceedings	470
McDonald, Valerie	Discussion on Bill 2040 - Directing the City Solicitor to seek an injunction to prevent the transfer of the Pittsburgh International Airport and the Allegheny County Airport	1502
McDonald, Valerie	Discussion the reconsideration of Bill No. 2040 - resolution seeking an injunction to prevent the transfer of Pittsburgh International	1547
McDonald, Valerie	Discussion on Bill 2212, a veto from Tom Murphy Mayor, on Bill 1759, An ordinance amending the Pittsburgh Code, Title Two, Fiscal Article I, Administration< Chapter 201, Tax Increment Financing Registration	1720

Address and Remarks

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
McDonald, Valerie	Discussion - Magnetic Levitation Project, Hill District residents concerns	1557
McDonald, Valerie	Discussion of proposed swimming pool fees	316
McDonald, Valerie	Discussion - Night Club's In District 9 and Community Concerns	986
McDonald, Valerie	Discussion on the amendments of Bill 1759, An Ordinance, Title 2 Fiscal, Article I, Administration, Chapter 201, City Treasurer, Section 291.11, Tax Increment Financing (TIF) Registration by adding new section sections regarding the commitment to employ city residents at facilities which are supported by Tax Increment Financing	1635
McDonald, Valerie	Discussion Bill 1581 - Cooperation Agreement with the URA of Pittsburgh providing for the transfer of \$450,000 for North Shore Riverfront Development, Council Districts 1 & 6	1019
McDonald, Valerie	Discussion - Informing council that we should not hold any public hearing regarding personnel or student issues regarding the Pittsburgh Public School System	1280
McDonald, Valerie	Discussion on Bill 1383, resolution requesting the City Solicitor to file a legal action, in either state or federal court, to cover damages and other relief by various gun manufacturers who fail to institute specified safety guidelines	1004

Address and Remarks

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
McDonald, Valerie	Discussion - Informing council that the TIF Committee held it's first meeting	701
McDonald, Valerie	Discussion on Bill 1823 - Contract for the lease of Part of Parcel 2, 3rd Ward, Dist. 6 Bedford Avenue at Crawford Street (Parking Garage) (Maglev)	1265
McDonald, Valerie	Discussion on Bill 1895 - An Ordinance amending Ordinance No. 28 of 1998 entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article I, Administration, Section 201.11, Tax Increment Financing Registration," by changing the percentage of city residents to be hired from 50% to 35%	1294
McDonald, Valerie	Discussion informing Council that she will be convening a televised post agenda regarding the financial opportunities that are available, with the URA, private entities, the city, the county	458
McDonald, Valerie	Informing Council of a post agenda meeting to discuss the URA Loan and Grant Assistance Program for home improvements	1022
McDonald, Valerie	Informing council of a Post Agenda Meeting scheduled for Wednesday, March 31st to discuss all the financial opportunities that are forward to MBE and WBE Firms	526
Murphy, Tom	Presenting his budget address to Council on November 8, 1999	1790
O'Connor, Bob	Discussion on Tax Incremental Financing Legislation Forbes/Fifth Retail	1594

Address and Remarks

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
O'Connor, Bob	Discussion - Initiative Meeting with the School Board, City Council and the Legislator	489
O'Connor, Bob	Discussion - Committee	
O'Connor, Bob	Discussion on Bill 1823 - Contract for the lease of Part of Parcel 2, 3rd Ward, Dist. 6 Bedford Avenue at Crawford Street (Parking Garage) (Maglev)	1268
O'Connor, Bob	Discussion on Bill 1383, resolution requesting the City Solicitor to file a legal action, in either state or federal court, to recover damages and other relief by various gun manufactures who fail to institute specified safety guidelines	1003
O'Connor, Bob	Discussion on Bill 1895 - An Ordinance amending Ordinance No. 28 of 1998 entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article I, Administration, Section 201.11, Tax Increment Financing Registration," by changing the percentage of city residents to be hired from 50% to 35%	1306
O'Connor, Bob	Informing Council of the appointment of Gene Ricciardi as a member of the Oakland Business Improvement District Board	650
Onorato, Dan	Discussion on the Pittsburgh Penguins	881
Onorato, Dan	Discussion - Bill 1380 sale of 512 Lockhart Street, 23rd Ward, being Purchased by Stephen Mesich	492

Address and Remarks

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Onorato, Dan	Discussion Bill 1581 - Cooperation Agreement with the URA of Pittsburgh providing for the transfer of \$450,000 for North Shore Riverfront Development, Council Districts 1 & 6	1019
Onorato, Dan	Discussion - street resurfacing program	586
Onorato, Dan	Discussion on Bill 1823 - Contract for the lease of Part of Parcel 2, 3rd Ward, Dist. 6 Bedford Avenue at Crawford Street (Parking Garage) (Maglev)	1268
Onorato, Dan	Discussion - Committee of Planning, Zoning and Land Use Chair Report for March 23, 1999	486
Onorato, Dan	Discussion of proposed swimming pool fees	315
Onorato, Dan	Discussion - Committee Chair Report - Zoning Code	34
Onorato, Dan	Discussion regarding Stadium Authority	453
Onorato, Dan	Discussion - Public Works, snow removal	7
Onorato, Dan	Discussion the reconsideration of Bill No. 2040 - resolution seeking an injunction to prevent the transfer of Pittsburgh International	1547
Onorato, Dan	Discussion on Bill 2212, a veto from Tom Murphy Mayor, on Bill 1759, An ordinance amending the Pittsburgh Code, Title Two, Fiscal Article I, Administration< Chapter 201, Tax Increment Financing Registration	1723
Onorato, Dan	Discussion magnetic Levitation Project proposed in the Hill District	1559

Address and Remarks

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Onorato, Dan	Discussion on Bill 1383, resolution requesting the City Solicitor to file a legal action, in either state or federal court, to recover damages and other relief by various gun manufactures who fail to institute specified safety guidelines	1007
Onorato, Dan	Discussion on Bill 2040 - Directing the City Solicitor to seek an injunction to prevent the transfer of the Pittsburgh International Airport and the Allegheny County Airport	1499
Onorato, Dan	Discussion - Magnetic Levitation Project, Hill District residents concerns	1557
Onorato, Dan	Giving his closing remarks as a member of Pittsburgh City Council, representation of District 1	2059
Onorato, Dan	Discussion on Mayor Neighborhood Needs Monies Distribution	1628
Ricciardi, Eugene	Discussion on Mayor Neighborhood Needs Monies Distribution	1627
Ricciardi, Gene	Discussion regarding vandalism graffiti	454
Ricciardi, Gene	Discussion regarding the sunshine act that applies to public comment at council proceedings	473
Ricciardi, Gene	Discussion - Bill 846 and 994 extends the city's earned income wage tax to non-resident professional athlete, ballplayers	249

Address and Remarks

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Ricciardi, Gene	Discussion on Bill 2040 - Directing the City Solicitor to seek an injunction to prevent the transfer of the Pittsburgh International Airport and the Allegheny County Airport	1492
Ricciardi, Gene	Discussion Tax Incremental Financing in Arlington, Beltzhoover, St. Clair Village and Carrick	1354
Ricciardi, Gene	Discussion - Recent shootings and violence that continue to escalate in Hill Top communities in District 3	504
Ricciardi, Gene	Discussion - Informing Council of new developments happening in is district. Southside, Allentown, Knoxville and Beltzhoover	704
Ricciardi, Gene	Discussion on the Historic Designation of the various Pittsburgh Public School Buildings	1933
Ricciardi, Gene	Discussion on the Vento Pizza/Home Depot in East Liberty	1681
Ricciardi, Gene	Discussion - Tax Incremental Financing	890
Ricciardi, Gene	Discussion - Recommital of Bill 1450, Resolution providing for the denial of the addition of the property located at 2500-2700 East Carson Street, North Side to the existing East Carson Street Historic District, under Section 513 of Chapter 1007 of the Code of Ordinances	1011
Ricciardi, Gene	Discussion - regarding the University of Pittsburgh Medical Center for their sports complex	661

Address and Remarks

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Ricciardi, Gene	Discussion on Bill 2212, a veto from Tom Murphy Mayor, on Bill 1759, An ordinance amending the Pittsburgh Code, Title Two, Fiscal Article I, Administration< Chapter 201, Tax Increment Financing Registration	1732
TCI	Discussion - Transfer of the cable system from TCI of PA to AT & T	30
TCI	Discussion - Transfer of the cable system from TCI of PA to AT & T	30
Udin, Sal	Discussion magnetic Levitation Project proposed in the Hill District	1553
Udin, Sala	Address council with his 2000 Budget Address	2025
Udin, Sala	Discussion - Swimming pools opening early due to the high temperatures and the tragedy of a child drowning	974
Udin, Sala	Discussion - Fifth and Forbes Avenue Proposal Meeting	1353
Udin, Sala	Discussion of Peoplesoft account system in the Controller's Office	650
Udin, Sala	Discussion of proposed swimming pool fees	314
Udin, Sala	Discussion on Bill 1895 - An Ordinance amending Ordinance No. 28 of 1998 entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article I, Administration, Section 201.11, Tax Increment Financing Registration," by changing the percentage of city residents to be hired from 50% to 35%	1293

Address and Remarks

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Udin, Sala	Discussion - Magnetic Levitation Project, Hill District residents concerns	1553
Udin, Sala	Discussion on Bill 2040 - Directing the City Solicitor to seek an injunction to prevent the transfer of the Pittsburgh International Airport and the Allegheny County Airport	1498
Udin, Sala	Discussion - Building Bridges Breakfast sponsored by the Sheraton Hotel	89
Udin, Sala	Discussion on Bill 1823 - Contract for the lease of Part of Parcel 2, 3rd Ward, Dist. 6 Bedford Avenue at Crawford Street (Parking Garage) (Maglev)	1263
Udin, Sala	Discussion on Fifth Avenue and Forbes project	1205
Udin, Sala	Discussion Bed and Breakfast Legislation Bill No, 948	439
Udin, Sala	Discussion - Public Works, snow removal	7
Udin, Sala	Discussion - Bill 1755, City Solicitor to enter into a binding agreement with the Pittsburgh Building and Construction Trades Council pursuant to the memorandum of Understanding of April 6, 1999 between the Pittsburgh Building and Construction Trades Council and the City of Pittsburgh	1333
Udin, Sala	Discussion on the closing of the Fort Duquesne Boulevard and entrance to the bridge	1962
Udin, Sala	Discussion Bill 882 Ordinance on Pittsburgh Works	888

Address and Remarks

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Udin, Sala	Discussion - Committee of Finance Chair report for the March 23, 1999	482
Udin, Sala	Discussion the reconsideration of Bill No. 2040 - resolution seeking an injunction to prevent the transfer of Pittsburgh International	1544
Udin, Sala	Discussion on Bill 2212, a veto from Tom Murphy Mayor, on Bill 1759, An ordinance amending the Pittsburgh Code, Title Two, Fiscal Article I, Administration< Chapter 201, Tax Increment Financing Registration	1723
Udin, Sala	Informing Council that the Disparity Study Commission has completed the process of selecting and contracting with a firm to conduct the study on procurement and employment in the City, the firm Mason Tillman Associates of Oakland, California has been selected	651
Udin, Sala	Discussion on Mayor Neighborhood Needs Monies Distribution	1627

Agreement

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1125	Purchase of materials, supplies and equipment and/or services cost not to exceed \$50,000.00	28
1126	Purchase of materials, supplies and equipment and/or services cost not to exceed \$65,000.00	28

Agreement		
BILL NUMBER	SUBJECT	PAGE
1135	Authorizing the Mayor and General Services to enter an Agreement or Agreements with Laurel Bank to enable them to place an ATM Machine in the Pittsburgh Municipal Courts Building	29, 62
1148	Purchase of materials, supplies and equipment in connection with the Renovations and Maintenance of various Public buildings and elevators , cost not to exceed \$190,000.00	59
1161	Dickie, McCamey & Chilcote, PC - professional services for the City Controller not to exceed \$80,000.00	61
1172	Consultant for professional training services at a cost not to exceed \$60,000.00	87, 371
1189	Purchase of materials, supplies and equipment in connection with the renovations and maintenance of various public buildings, at a cost not to exceed \$650,000.00	445
1192	Furnishing of professional services for the benefit of the residents of the City of Pittsburgh effective January 1, 1999 and providing for the payment of the cost thereof, not to exceed \$275,000.00	255
1209	Director of the Department of Parks and Recreation to enter into agreements in individual amounts of \$10,000.00 or less with performers, instructors, artists and person with specialized skills in connection with the Department's various recreational and instructional programs	270

Agreement		
<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1228	Consultant in connection with the design of the Fancourt Street Bridge, cost not to exceed \$125,000.00	191, 323
1229	Reimbursement Agreement with Allegheny County for improvements to City-owned facilities in conjunction with the Rehabilitation of the Glenwood Bridge by the County, cost not to exceed \$240,000.00	191, 323
1234	Agencies to operate Emergency Shelters for the homeless cost not to exceed \$756,000.00	192, 358
1307	Reconstruction of various Park facilities; providing for the purchase of equipment, materials and supplies in connection with such projects, at a cost not to exceed \$642,000.00	302, 446
1309	Furnishing professional services for the benefit of the residents of the City of Pittsburgh effective January 1, 1999, cost not to exceed \$200,000.00	302, 395
1402	Directing the Solicitor of the City of Pittsburgh to enter into a legal agreement with the Stadium Authority of the City of Pittsburgh for the purpose of selling various fixtures currently located in Three Rivers Stadium with the proceeds to benefit various youth athletic funds	424, 533

Agreement

BILL NUMBER	SUBJECT	PAGE
1405	Agreement for the hiring of counsel and consultants to assist in the representation of the City of Pittsburgh for outside legal counsel and consultants at a cost not to exceed \$50,000.00	425, 533
1451	Various community organizations for operational/administrative expenses, cost not to exceed \$102,500.00	521, 572
1456	Providing for the advertisement for proposals and to award and enter into an agreement for Information Systems Modernization to include upgrades to the City's existing information system infrastructure for the Year 2000 Compliance, cost not to exceed \$875,000.00	522, 608
1457	Contract to maintain and develop numerous Public Safety applications for the bureaus of Police, Fire, and EMS in conjunction with Y2K and the Copsmore Program, cost not to exceed \$375,000.00	522, 609
1474	Agreement with various agencies and vendors to advance the recruitment, assessment and coordination for additional employment and training activities, cost not to exceed \$400,000.00	568, 658
1491	Advertisement for proposals and to award and enter into an agreement for Radio System Equipment, cost not to exceed \$207,500.00	604, 713

Agreement

BILL NUMBER	SUBJECT	PAGE
1540	The design, development and implementation of a computer based multimedia interactive information kiosk for placement in the lobby of the City County Building to include the purchase of computer equipment, supplies, communication hardware, software, training and maintenance at a cost not to exceed \$35,000.00	690, 820
1541	Korean War Veterans Association for costs associate with the construction of the Korean War Veterans Memorial to be located in Roberto Clemente Park, cost not to exceed \$40,500.00	690, 835
1548	Community Organizations for operational expense or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh and further authorizing various departments, cost not to exceed \$1,182,175.00	691, 830
1549	Community Based Organizations for community and economic development planning assistance in various neighborhoods in the City and providing operating support for these groups in an amount not to exceed \$900,000.00	691, 830
1550	Consultant(s) and Vendor(s) to assist the City in improving its Citizen Participation Process and providing for the payment of the cost thereof \$215,000.00	691, 830

Agreement

BILL NUMBER	SUBJECT	PAGE
1552	Consultants(s) and or contractors for the purpose of planning and/or implementation costs of the Saw Mill Run transportation Study Project and related costs in support of this project at a cost not to exceed \$69,000.00	691, 830
1553	Urban League of Pittsburgh for the implementation/administration of the Housing Counseling Program and related costs in an amount not to exceed \$100,000.00	692, 830
1554	Operational/administrative expenses for the benefit of residents of the City of Pittsburgh, cost not to exceed \$582,279.00	692, 830
1555	Approved by the City Solicitor with Jewish Health Care Foundation to provide services to persons with HIV/AIDS and their families at a total cost not to exceed \$491,000.00	692, 830
1559	Consultant for the purpose of planning and/or implementation cost of the Hazelwood Second Avenue Development Project and related costs in support of this Project	693, 829
1560	Contract for the purpose of planning and/or implementation costs of the Trail Development Project and related in costs in support of this project, cost not to exceed \$427,800.00	693, 829

Agreement

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1578	Various community organization for operational/administrative expenses and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, cost not to exceed \$122,500.00	742, 832
1608	Rehabilitation Replacement of the S. 10th Street and South 15th Street Pedestrian Bridges, cost not to exceed \$944,600.00	810, 912
1614	Byrd R. Brown Law Offices for legal representations the Solicitor of the Pittsburgh Commission on Human Relations in 1999, cost not to exceed \$20,000.00	811, 908
1656	Miryam's Northside Common Ministries and the William and Mildred Orr Compassionate Care Center for administrative, operating and/or renovation costs for shelters under the State Emergency Shelter Grants Project, cost not to exceed \$80,000.00	877, 983
1687	Consultant for professional services in connection with the research, evaluation, validation, preparation, administration, scoring and interpretation of Civil Service examinations, and providing for the payment of the cost thereof, cost not to exceed \$50,000.00	934, 1002
1700	Brasher Association in the amount of \$10,000.00 Dollars for operational administrative expenses of neighborhood facilities for the benefit of the residents of the City of Pittsburgh	970, 1055

Agreement		
BILL NUMBER	SUBJECT	PAGE
1706	Agreements with various agencies for job development and employment services, wages and fringe benefits for supervisor/participant/administrative staff necessary to implement the 1999 Neighborhood Employment Program, Pittsburgh Partnership Summer Youth Employment Program	971, 1050
1721	Consultant for Architectural/Engineering Services in connection with various City projects, cost not to exceed \$150,000.00	998, 1083
1747	Agreement and or Contracts in connection with the Grandview Public Space Improvements; at a cost not to exceed \$150,000.00	1043, 1132
1752	Agreement with Gildas A. Kaib, Jr., his successors and assigns for an easement of ingress, egress and regress over property owned by the City in the 18th Ward designated as Block and Lot 4-G-249, 35 Vineclieff Street, District 2 & 3	1044, 1081
1766	Pittsburgh Building and Construction Trades Council pursuant to the Memorandum of Understanding of April 6, 1999 between the Pittsburgh Building Trades Council and the City of Pittsburgh	1046, 1098
1797	Three Rivers Area Labor Management Committee for professional services in connection with the Tax Information Systems Modernization Project, Department of Finance, cost not to exceed \$100,000.00	1096, 1199

Agreement

BILL NUMBER	SUBJECT	PAGE
1798	Unisys Corporation, Township Line & Union Meeting Roads, Blue Bell, for additional services in connection with the Tax Information Systems Modernization Project Department of Finance, cost not to exceed \$875,000.00	1096, 1199
1865	Authorizing Agreements with organizations, artists, or vendors for materials and construction of works of public art, and providing for administrative/staff costs related to Art Set Aside, cost not to exceed \$45,000.00	1196
1890	Purchase of materials, supplies and equipment and/or services in connection with the Renovations and Maintenance of various Public Buildings; at a cost not to exceed \$50,000.00	1247, 1332
1917	Consultant for professional services for the Youth Policy Office at a cost not to exceed \$84,000.00	1345, 1465
1918	Progressive Insurance and/or National Insurance Crime Bureau for the use of a specialize auto theft sting vehicle, cost not to exceed \$1.00	1345, 1465
1919	Pittsburgh Mediation Center for professional services at a cost not to exceed \$20,000.00	1345, 1465
1920	Psychologist or counselor(s) for professional psychological services at a cost not to exceed \$20,000.00	1345, 1465

Agreement		
BILL NUMBER	SUBJECT	PAGE
1921	Consultants for purchase of software maintenance for computerized tripsheets for ambulance services at a cost not to exceed \$3,520.00	1345, 1465
1969	Agreement with the Pittsburgh Board of Public Education for the purpose of providing meal in connection with the Summer Food Service Program in the Department of Parks and Recreation, \$800,000.00	1351, 1464
1970	Agreement with the 1999 Community Enrichment Program for the Department of Parks and Recreation, cost not to exceed \$110,000.00	1351, 1464
1994	Renovation of Carnegie Library Branches for disability accessibility and for the purchase of equipment, materials and supplies for said projects, cost not to exceed \$225,000.00	1380, 1509, 1561
2009	Purchase of equipment or supplies, and/or administrative costs related to the implementation of the "Youth Initiative Program" at a cost not to exceed \$247,500.00	1383, 1506
2027	Urban League of Pittsburgh for the implementation/administration of the Housing Counseling Program and related costs \$100,000.00	1432, 1552

Agreement		
BILL NUMBER	SUBJECT	PAGE
2063	Various community organizations for operational/administrative expenses for the residents of the City of Pittsburgh at a cost not to exceed \$90,500.00 chargeable to and payable from Account 593100, Fund, 1000, Organization 500000, Year 1999 in the Department of Parks and Recreation" by increasing the Korean War Veteran's Memorial by \$2,000.00	1490, 1604
2098	Consultant for pre-employment background investigations at a cost not to exceed \$160,000.00, and providing for the payment of the cost thereof	1542, 1636
2100	Hiring of consultants to assist the City of Pittsburgh with the technical and financial aspects of the cable communications franchise renewal process in an amount of \$60,000.00	1542, 1636
2102	Consultants to provide actuarial services for the City of Pittsburgh for a period of three years, for the years 1999 through 2001, cost not to exceed \$100,000.00	1542, 1636
2133	Charles J. Kolling, Legislative Consultant, for consulting services to assist the City of Pittsburgh in acquiring state assistance and funding.	1589, 1811
2139	Providing for an agreement with a Consultant or Consultants for professional services supplied to City Council in the amount of \$100,000.00	1590, 1782

Agreement		
<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2185	Stenographic Reporting Services in connection with the Public Hearing(s) at a cost not to exceed \$4,000.00	1675
2225	Consultant for the provision of professional services, cost not to exceed \$25,000.00	1770
2226	Agreement by and between the City of Pittsburgh, The Pittsburgh Foundation, a Pennsylvania Non-Profit Corporation and the Pittsburgh Allegheny County Vietnam Veterans Monument Fund Charitable Trust, in the connection with the transfer of the Vietnam Veterans Monument and providing for the maintenance thereof.	1770, 1816
2250	Design Services and Project management Services in connection with the Forbes Avenue/market Street Improvements, cost not to exceed \$1,300,000.00	1808
2268	Investigation, design, construction and/or remediation for critical slope failures throughout the City, cost not to exceed \$135,000.00	1839, 1941
2280	Authorizing the Mayor and Chief Magistrate to enter into an Agreement or Agreements with a check acceptance program	1843
2304	City Source Associates for all necessary and incidental expenses incurred in the implementation of the "Side Yard Program" at a cost not to exceed \$50,000.00	1886, 1956

Agreement

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2306	Municipal Code Corporation for professional services in connection with the codification of Ordinances enacted by the City into the Pittsburgh Code at a cost not to exceed \$15,000.00	1886, 1958
2313	Authorizing the City of Pittsburgh to enter into a Cable Television Franchise Agreement with TCI of PA, Inc. d/b/a AT & T Cable Services	1917, 2047
2337	Consultants for professional services in connection with the evaluation of applicants as part of the Civil Service Commission's psychological assessment program for entry level Police Officers, at a cost not to exceed \$50,000.00	1955
2337	Consultant or Consultants for professional services in connection with the evaluation of applicants as part of the Civil Service Commission's psychological assessment program for entry level Police Officers at a cost not to exceed \$50,000.00	2005
2338	Authorizing the City Controller to enter into a contract or the use of existing contracts for the purchase of equipment in an amount not to exceed \$15,000.00	1955
2352	Consultants for the provision of professional services at a cost not to exceed \$25,000.00	1988,2041,2054

Agreement

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2356	City of Pittsburgh, The Pennsylvania Resource Council, A Pennsylvania Non-Profit Environmental Organization, to develop, institute and Administer A Public education campaign in conjunction with The City's Recycling Program, cost not to exceed \$88,000.00	1989, 2042
2368	Providing that the City of Pittsburgh enter into a professional services agreement or agreements with a medical facility and/or laboratory for the administration and evaluation of federally mandated and bargaining unit specified employee and applicant drug and alcohol testing	2004, 2041
2371	Agreement with Hill Community Development Corporation for professional services for the benefit of the residents of the City of Pittsburgh, Council District 5	2040

Agreement (Amending)

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1121		Administrative expenses for the benefit of residents of the City, so as to reprogram funds from Garfield Playground to Garfield Heights Community Advisory Committee and District 7 Equipment	2, 62
1131		Purchase of equipment and/or minor rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh.	29

Agreement (Amending)			
BILL			
NUMBER	SPEAKER	SUBJECT	PAGE
1201		Various community organizations for operation/administrative expenses, for the benefit of residents of the City of Pittsburgh at a cost not to exceed \$1	267
1227		Agreement with the Brightwood Athletic Association to facilitate the receipt and disbursement of	191, 322
1356		Boys and Girls Club of Western PA in connection with the construction of a community recreation and park facility in Leslie Park, 9th Ward, City of Pittsburgh" by changing the terms of the Lease and signatures to the Lease	339
1487		Purchase of materials supplies and equipment and/or services in connection with the Renovations and Maintenance of Various Public Buildings and Elevators; and providing for the payment of the costs thereof by decreasing the total allocation by \$15,200.00 dollars	603, 712
1640		Agreement with various community organizations for operational/administrative expense, so as to delete a project (Korean's War Veterans Monument) and adding a project (Bloomfield Preservation & Heritage Society	850, 941
1641		Agreement with various community organizations, for operational/administrative expense, so as to reduce Improvements (\$15,000) and add project Bloomfield Preservation and Heritage Council (+\$15,000.00)	850, 941

		Agreement (Amending)	
<i>BILL</i>			
<i>NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1659		Amending Resolution 216/1999, Agreement with various community organizations for operational/administrative expenses for the benefit of city residents, by eliminating the Brighton Heights Athletic Association \$12,000.00	877, 983
1719		Amending Resolution 24/1999, providing for the purchase of supplies and equipment and/or services in connection with the Renovations and Maintenance of various public buildings and providing for the payment of the costs thereof, by increasing the amount by \$100,000.00 from \$65,000.00 to \$75,000.00	998
1746		Amending Resolution 233/1998 Agreement in connection with the design and construction of the Grandview Photography Park in Mt. Washington, by increasing total project allocation to \$97,000.00	1043, 1132
1889		Professional services agreement and/or contracts for the design development and implementation of a computer based multimedia interactive information kiosk, cost not to exceed \$43,000.00	1247, 1332
1999		Purchase of equipment and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, cost not to exceed \$1,105,350.00, so as to reprogram funds in City Council	1380, 1460

Agreement (Amending)

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2001		Purchase of equipment and/or rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh, cost not to exceed \$1,155,600.00 so as to reprogram funds in City Council	1381, 1461
2002		Purchase of equipment and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, cost not to exceed \$1,134,945.00, so as to reprogram funds in City Council	1381, 1461

Agreement - Amending

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1521	Purchase of furniture and equipment in an amount not to exceed \$100,000.00 for the Parks and Recreation Senior Interests Program Trust Fund	648, 765
1607	Design and Construction of improvements to various Overlooks, including but not limited to the West End Elliott Overlook, by increasing the total project allocation to \$475,000.00	810, 912

Appointment

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1368	Arkett, Jennifer	Member of the Shade Tree Commission, term to expire January 31, 2001	, 372, 386
2071	Blackman, Ada	Appointment as a member of the Housing Authority of the City of Pittsburgh, term to expire September 30, 2000	1511, 1590

		Appointment	
<i>BILL</i>			
<i>NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1334	Brown, Eliza Smith	Member of the Shade Tree Commission, term to expire January 31, 2000	325, 386
2154	Brown, R. Vernon	Appointment as a Member of the Mayor's Committee on Business and Employment Opportunity term to expire April 30, 2000	1609, 1675
1145	Calbria, Gregory	Appointment as a member of the Standards and Appeals Board term to expire December 31, 2003	51
2153	Carlisle, Tawanda	Appointment as a Member of the Mayor's Committee on Business and Employment Opportunity term to expire February 28, 2001	1609, 1675
1328	Carr, Patricia	Member of the Shade Tree Commission, term to expire January 31, 2000	325, 385
2347	Costa, Guy	Confirming Guy Costa as the director of the Department of Public Works	1965
2070	Dickerson, Eric	Appointment as a member of the Housing Authority of the City of Pittsburgh, term to expire September 30, 2000	1511
1343	Donaldson, Judith	Member of the Shade Tree Commission, term to expire January 31, 2000	326, 386
1412	Fitzgerald, Thomas	Board Member of the Personnel Appeals Board, for a term to expire January 31, 2000	452
1340	Gaskey, Josie	Member of the Shade Tree Commission, term to expire January 31, 2000	326, 386
1339	Gerage, Ann Jones	Member of the Shade Tree Commission, term to expire January 31, 2000	326, 386

Appointment

BILL NUMBER	SPEAKER	SUBJECT	PAGE
1692	Graziano, Ronald	Appointment of Ronald Graziano as Chief of the Bureau of Building Inspection	942, 972
1338	Hall-Antonio, Myrn	Member of the Shade Tree Commission, term to expire January 31, 2000	326, 386
1342	Hook, John	Member of the Shade Tree Commission, term to expire January 31, 2000	326, 386
1243	Lewis, Claudette	Authorizing the appointment of Claudette Lewis as a member of the City Planning Commission, term to expire January 31, 2001	303
1808	McClean, Ellen	Authorizing the appointment of Ellen McClean as a Director of the Department to Finance	1134, 1151
1836	Micheli, Peter	Authorizing the Appointment of Peter Micheli as the Chief of the City of Pittsburgh Fire Bureau	1160, 1289
1336	Modaro, Nita Fandr	Member of the Shade Tree Commission, term to expire January 31, 2000	326, 386
1010	Momberger, Eric	Member of the Contracting Out Regulation and Review Committee for the evaluation of proposed outsourcing of the Emergency Medical Services billing function	32
1335	Noszka, Nancy	Member of the Shade Tree Commission, term to expire January 31, 2000	325, 386
1331	Padole, Ellie	Member of the Shade Tree Commission, term to expire January 31, 2000	325, 385
1325	Pressley, Vanessa	Member of the Shade Tree Commission, term to expire January 31, 2000	325, 385

Appointment

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1333	Remcheck, Mark	Member of the Shade Tree Commission, term to expire January 31, 2000	325, 386
1326	Savage, Mary	Member of the Shade Tree Commission, term to expire January 31, 2000	325, 385
1244	Schaefer, Nancy	Authorizing the appointment of Nancy Schaefer as a member of the Personnel Appeals Board, term to expire January 31, 2001	303
1329	Shaw, Eddie	Member of the Shade Tree Commission, term to expire January 31, 2000	325, 385
1327	Smyrnes-Williams,	Member of the Shade Tree Commission, term to expire January 31, 2000	325, 385
1330	Steinberg, Kenny	Member of the Shade Tree Commission, term to expire January 31, 2000	325, 385
1341	Torbet, Bill	Member of the Shade Tree Commission, term to expire January 31, 2000	326, 386
1337	Totten, Lindsay Bo	Member of the Shade Tree Commission, term to expire January 31, 2000	326, 386
1332	Vavro, Lisa Kunst	Member of the Shade Tree Commission, term to expire January 31, 2000	325, 385
1344	Vezzettei, Dale	Member of the Shade Tree Commission, term to expire January 31, 2000	326, 386
1807	Yohe, Susan	Authorizing the re-appointment of Susan Yohe as a member of the Human Relations Commission, term to expire April 1, 2003	1134. 1289

Bond

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2170	Resolution increasing the bonded indebtedness of the City in compliance with the Local Government Unit Debt Act by the issuance of General Obligation Bond, consisting of the Series A of 1999 Bonds	1626, 1744,1844

Budget

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1063	Designating Banks and Lending Institutions to act as Depositories for the year 1999 in accordance with the Pittsburgh Code, Title II, Fiscal, Article III, Depositories	49
1454	Making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the year," by making certain correction	521, 608
1455	Fixing the number of officers and employees of the City of Pittsburgh and the rate of compensation thereof and setting minimum levels for designated positions," by making certain corrections	521, 608
1733	Carrying over balance or portions thereof remaining in certain accounts for the year 1998 to the same or to other Accounts for the year 1999	1000, 1097
2320	Making appropriations to pay the expenses of conducting the public Business of the City of Pittsburgh and for meeting the debt charges there of for the Fiscal Year, beginning January 1, 2000	2005

Budget

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2320	Making appropriations to pay the expenses of conducting the public Business of the City of Pittsburgh and for meeting the debt charges for the fiscal year beginning January 1, 2000	1918
2321	Fixing the number of officers and employees of the City of Pittsburgh and the rate of compensation thereof, and setting minimum levels for designated positions	1919, 2005

Capital Budget

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1494	Adopting and approving the 1999 Capital Budget and the 1999 Communicate Development Block Grant Program, by making certain corrections	604, 659
1512	Adopting and approving the 1999 Capital Budget and the 1999 CDBG Program; and approving the 1999 through 2004 Capital Improvement Program," by creating a new line item entitled "Traffic Signals at Seventh Street and Penn Avenue"	647, 768
1542	1996 through 20001 Capital Improvement Program, by reducing five line items in Engineering and Construction's Budget for an aggregate amount of \$40,500.00 and creating an new line item entitle "Korean War Veterans Memorial" in the Mayor's Office Budget	690, 835

Capital Budget

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1844	Approving the 1997 through 2002 Capital Improvement Program, by transferring \$140,000.00 from Smallman Street Sidewalk Improvements to a new line item entitled "Schenley Park Bridge over Boundary Street"	1194, 1277
1845	Approving the 1996 through 2001 Capital Improvement Program," by transferring \$91,962.75 from Three Rivers Stadium Ramp to Schenley Park Bridge over Boundary Street	1193, 1278
1989	Approving the 1999 through 2004 Capital Improvement Program," by increasing Lower Saw Mill Run Channel Project by \$5,000.00	1379, 1509
1990	Approving the 1997 through 2002 Capital Improvement Program" by increasing Park Reconstruction-E&C" by \$28,445.00 from \$600.00.00 to \$628,445.00	1380, 1509
1991	Approving the 1996 through 2001 Capital Improvement Program," by transferring a total of \$218,344.49 from Fort Pitt Boulevard to various line items	1380, 1509
2052	1999 through 2004 Capital Improvement Program, by increasing "Building Maintenance" Line item by \$13,928.00	1488
2054	1999 through 2004 Capital Improvement Program," by creating a new line item entitled "Concession Stands"	1488

Capital Budget

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2191	Adopting and approving the 1999 Capital Budget and the 1999 CDB Grant Program and approving the 1999 through 2004 Capital Improvement Program by increasing the Demolition of Condemned Building, Primary Project No. 2210011 by \$500,000.00	1817, 1851
2322	2000 Capital Budget and the 2000 CDBG Block Grant Program, "by adjusting various line items in conformance with City Council's 2000 Capital Budget amendment	2005
2322	Adopting the 2000 Capital Budget and the 2000 CDBG Program and approving the 2000 through 2005 Capital Improvement Program, by adjusting various line items in conformance with City Council's 2000 Capital Budget amendments	1919

Capital Budget (Amending)

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1224	Amending the 1999 Capital Budget and the 1999 Community Development Block Grant through 2004 Capital Improvement Program, by reducing the Personnel-Engineering line item by \$108,540.00 and creating a new line item entitled "Non-Salary E & C	191, 322

Capital Budget (Amending)		
BILL NUMBER	SUBJECT	PAGE
1225	Amending the 1999 Capital Budget and the 1999 Community Development Block Grant through 2004 Capital Improvement Program, by reducing the Transportation Improvement Program by \$240,000.00 and creating a new line item titled "Glenwood Bridge"	191, 322
1226	Amending the 1999 Capital Budget and the 1999 Community Development Block Grant through 2004 Capital Improvement Program, by reducing the Transportation Improvement Program by \$125,000.00 and creating a new line item titled "Fancourt Street Bridge"	191, 322
1301	Amending Resolution No. 1018/1997 entitled "Adopting and approving the 1997 Capital Budget and the 1997 Community Development Block Grant Program, by increasing a line item (Lower Allegheny Riverfront by \$28,000.00 from \$550,000.00 to \$578.00.00	301, 445
1302	Amending Resolution No. 781/1999 entitled "Adopting and approving the 1999 Capital Budget and the 1999 CDBG Program and approving the 1999 through 2004 Capital Improvement Program, by amending the funding source of the Route 51 Liberty Bridge line item	301, 445

Capital Budget (Amending)		
BILL NUMBER	SUBJECT	PAGE
1303	Amending Resolution No. 781/1999 entitled "Adopting and approving the 1999 Capital Budget and the 1999 CDBG Program and approving the 1999 through 2004 Capital Improvement Program, by reducing the Transportation Improvements Program by \$250,000.00 and creating a new line item titled "West End Improvements"	301, 445
1750	Amending Resolution 838/1998, entitled Resolution adopting and approving the 1998 capital budget and the CDBG Program and approving the 1998 - 20003 Capital Improvement Program," by increasing the "Parks Reconstruction Program to \$659,499.00	1043, 1132
1790	Amending Resolution 781/1999, "Adopting and Approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program and approving the 1999 through 2004 Capital Improvements Program" by creating a new line item "Heritage Trials"	1094, 1215
1821	Amending Resolution 781/1999 "Adopting and approving the 1999 Capital Budget and the 1999 CDGB Program and approving the 1999 through 2004 Capital Improvement Program," by amending the funding source on Fort Duquesne Boulevard Reconstruction and reducing the total project allocation by \$66,000.00 from \$13,650,000.00 to \$13,584,000.00	1150, 1277

Capital Budget (Amending)		
BILL NUMBER	SUBJECT	PAGE
1864	Adopting and approving the 1999 Capital Budget and the 1999 CDBG Program and approving the 1999 through 2004 Capital Improvement Program" by transferring a project from Engineering & Construction (Art Set Aside) to Department of City Planning (Art Set Aside) to Department of Planning (Art Set Aside)	1196, 1317
1892	Amending the 1996 CDBG Program and approving the 1996 through 2001 Capital Improvement Program, by transferring \$50,000.00 from Building Maintenance Program-EC to Building Maintenance Program-GS (General Services)	1248, 1335
2050	Amending Resolution 781/1999, as amended, entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvement Program," by increasing "Building Maintenance" line item by \$13,928.00	1608
2054	Amending Resolution 781/1999, entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program and approving the 1999 through 2004 Capital Improvement Program, by creating a new line item entitled "Concession Stands"	1608

Capital Budget (Amending)

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2140	Amending Resolution No. 781 of 1998 entitled, Adopting and providing the 1999 Capital Budget and the 1999 Community development Block Grant Program and approving the 1999 through 2004 Capital Improvement Program" by increasing "City Clerk's Office Modernization " line time by \$50,000.00	1590, 1782
2251	"Adopting and Approving the 1999 CDBG and approving the 1999 through 2004 Capital Improvement Program, by reducing the Transportation Improvement Program by \$260,000.00 and creating a new line item titled "Forbes Avenue/Market Street Improvements."	1808

Communication

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1667	Birru, Mulu	Submitting the Annual Report of Employees, Positions and Salaries for Budget Year 1999	879
1142	Flaherty, Tom	Submitting the Special Report on new Homeowner Survey, 1997-1998	30
1406	Flaherty, Tom	Submitting the City's Single Audit Report for the year ended December 31, 1997	425
1459	Flaherty, Tom	Submitting a Performance Audit: Wayfinder Signage Program II: Expenditure Report, dated March, 1999	522
1585	Flaherty, Tom	Submitting the Comprehensive Annual Financial Report (CAFR) for the City of Pittsburgh for 1998	744

<i>BILL</i>		Communication	
<i>NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1622	Flaherty, Tom	Submitting a Special Report on Stadium lease Comparisons with 15 U.S. Cities for major League Baseball	813
1734	Flaherty, Tom	Submitting a Special Report on Stadium Lease Comparisons with 13 U.S. Cities for the National Football League	1001
2172	Flaherty, Tom	Submitting a Performance Audit of the Department of Public Works Snow and Ice Removal for January 1999	1627
2360	Flaherty, Tom	Submitting a Special Report of the Three Pension Plans of the City of Pittsburgh	1989
1735	Hanna, John	Submitting the annual list of employees, salaries and position for 1999	1001
1586	Horgan, Ralph	Submitting salary budget for the fiscal year beginning October 1, 1998 for the Public Parking Authority	744
1897	Inks, William H.	Submitting a list of names, positions and salaries of all employees of the Allegheny County sanitary Authority, as of June 30, 1999.	1249
1767	Lowe, Stanley	Submitting Housing Authority of the City of Pittsburgh, 1999 annual list of employees, positions and salaries	1047
1143	Morrow, Jacqueline	Submitting the Claims Report for December 1998, the Final Quarterly Report for 1998 and the Annual Report for 1998	30
1384	Morrow, Jacqueline	Submitting a summary of all claim filed and paid in February 1999	385

Communication

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1495	Morrow, Jacqueline	Submitting the Summary of Claims filed and paid in March, 19999 and in the first quarter of 1999	604
1621	Morrow, Jacqueline	Submitting a summary of all claims filed and paid April of 1999	813
1707	Morrow, Jacqueline	Submitting the summary of claims report for May 1999	971
2103	Morrow, Jacqueline	Submitting a summary of all claims filed and paid in July 1999	1543
2253	Morrow, Jacqueline	Submitting a summary of claim filed and paid in October 1999	1808
2361	Morrow, Jacqueline	Submitting a summary of claims filed and paid in November 1999	1989
2171	Morrow, Jacqueline	Submitting Claim Reports for third quarter and for September 1999	1627
1977	Morrow, Jacqueling	Submitting summaries of all claims filed and paid in July 1999, pursuant to Section 163 of the Pittsburgh Code	1352
1496	Murphy, Tom	Submitting an Executive Order agreed upon by the Building Trades to ensure employment opportunities for city residents including qualified journeymen and minorities on all City projects	604
1783	Murphy, Tom	Requesting permission for Ms. Stephanie Cook, a non city employee to travel to Houston Texas to participate in the Weed and Seed National Conference from July 31-August 3, 1999, cost not to exceed \$850.00	1070

<i>BILL</i>		Communication	
<i>NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2212	Murphy, Tom	Submitting a veto of Council Bill No. 1759, entitled, "An ordinance amending and supplementing the Pittsburgh Code, Title Two, Fiscal Article I, Administration, Chapter 201, City Treasurer, Section 201.11, Tax Increment Financing Registration, by adding new sections regarding commitment to employ city residents at facilities which are supplied by Tax Increment Financing	1720
2373	Murphy, Tom	Submitting a veto of Section "Other Authorizations" contained in the 2000 Operating Budget	2038
1239	Parees, Barbara	Requesting approval for John Turyan (non-city employee) Pgh. Private Industry Council member to travel to Washington D.C. from February 28 - March 2, 1999, cost not to exceed \$1,079.00	193
1528	Parees, Barbara	Requesting permission for John Turyan, Chair of the Private Industry Council to attend the Pennsylvania Partner's Annual Conference in Hershey, PA May 5-7, 1999 at a cost not to exceed \$920.00	649
1708	Wasler-Johnson, Li	Submitting the 1998 Third and Fourth Quarter Travel Report from various city departments	971
1709	Wasler-Johnson, Li	Submitting the 1999 First Quarter Travel Reports from various City Departments	971

Conditional Use

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1424	James and William Rudolph for authorization to demolish a residential structure and replace it with a parking area with a maximum of 12 parking stalls to be located at 5608 Wilkins Avenue.	481, 572, 907
1516	Contract a six story multi-purpose academic center on Forbes Avenue, between South Bouquet Street and Oakland Avenue.	647, 1010
1517	Title Nine, Zoning, Article V, Chapter 993 to the University of Pittsburgh for authorization to construct five, four-story garden-type apartment buildings for student housing, each with sixteen four bedroom units to house four students per unit for a total of 320 beds, located at 201, 221 and 291 Oakland Avenue and 200 & 230 South Bouquet Street and Oakland Avenue, District 3	647, 1011
1518	Title Nine, Zoning, Chapter 911, Ellis School for authorization to construct a 3 story building and two 1 story extensions to the existing school building located on the campus of Ellis School at 6425 Fifth Avenue, District 8	648, 980
1561	Conditional Use exception under Section 993.01(a)A(27) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to Gildas A. Kaib, Jr. for authorization to construct three, two-unit townhouses to be located at 19-21, 23-25 and 27-29 Vinceliffe Street, 18th Ward	693

Conditional Use

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1762	Conditional Use Exception under Section 91.04.A.64 of the Pittsburgh Code, Title Nine, Zoning, Chapter 911 to the Board of Public Education of the school District of Pittsburgh for authorization to construct a one- story extension and a one-story addition of a one-story modular structure containing two classrooms on property zoned "RT-2" Residential Two-Unit, Low Density, 27th Ward	1046, 1332
1763	Conditional Use Exception Section 911.04.A.64 of the Pittsburgh Code, Title Nine, Chapter 911 to the Board of Public Education of the School I District of Pittsburgh a for authorization it increase the student capacity of Rooney middle School through the addition of a one-story modular structure containing two classrooms on property zoned "RT- 2" Residential Two-Unit, Low Density, 27th Ward	1046, 1333
1794	Conditional Use Exception under Section 911.04.A.64 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 911 to the Boys and Girls Club of Western Pennsylvania for authorization to use an existing 3-story structure as a Charter school for grades 9 through 12 with a capacity of 325 students located at 4412 Butler Street on property zoned "RM-3" residential Multi-Unit, moderate Density District, 9th Ward	1095, 1201 1333

Conditional Use

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1929	Conditional Use exception under Section 911.04.A.64 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 911 to Winchester-Thurston School for authorization to use an existing 2-story residential structure as administrative offices for Winchester-Thurston School, located at 5001 Bayard Street on property zoned "RT-2" Residential Two-Unit, Low Density District, 7th Ward	1346, 1849

Contract

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
	Purchase of an Alpha Numeric Message Generator and related equipment at a cost not to exceed \$37,000.00 chargeable to and payable from Cable Communications Trust Fund, General Services	668
1127	Purchase of materials, supplies and equipment and/or services cost not to exceed \$700,000.00	28
1193	Repairs, maintenance, improvements and emergencies at various parks and park facilities in CD areas throughout the City, cost not to exceed \$430,000.00	256
1194	Repairs, maintenance, improvements and emergencies at various parks and park facilities throughout the City of Pittsburgh, cost not to exceed \$200,000.00	256, 344

<i>BILL NUMBER</i>	Contract	
	<i>SUBJECT</i>	<i>PAGE</i>
1195	Street resurfacing programs and parks related asphalt work at various locations throughout the City, cost not to exceed \$2,815,000.00	256, 344
1196	Street resurfacing programs to include but not limited to ultra thin hot mix, cost not to exceed \$2,961,603.00	344
1196	Street resurfacing programs and parks related asphalt work at various locations throughout the City, cost not to exceed \$2,161,603.00	256, 376
1198	Flexible beam Guiderails at various locations throughout the City of Pittsburgh, cost not to exceed \$63,000.00	256
1199	Purchase of materials and equipment and supplies in connection with the Wall, Step and Fence Program at various areas throughout the City, cost not to exceed \$700,000.00	257
1230	Contract in connection with the renovation of Carnegie Library Branches for handicap accessibility, cost not to exceed \$225,000.00	191, 323
1250	Renovations to the City County Building and for the purchase of equipment and supplies for said projects, cost not to exceed \$180,000.00	240, 445
1299	Purchase of LifePak Hear Monitor/Defibrillator/Pacers for the Bureau of Emergency Medical Services at a cost not to exceed \$156,000.00	444

Contract		
BILL NUMBER	SUBJECT	PAGE
1308	Installation and maintenance of traffic signal equipment throughout the City at a cost not to exceed \$80,000.00	302, 446
1314	Annual program of the Police and Communities Together Program, cost not to exceed \$15,000 from the Public Safety Police Miscellaneous Services account fund 1000, org. code 230000, sub class 150	303
1354	Demolition and removal of condemned buildings, cost not to exceed \$600,000.00	339, 444
1355	Demolition and removal of condemned buildings, cost not to exceed \$450,000.00	339, 444
1377	Disposition Contract of Land by and between the URA of Pittsburgh and the International Brotherhood of Electrical Workers, Local Union No. 5 for the sale of Parcel E-1a, 16th Ward, Area No. 55, Carson Street, Dist. No. 3	384, 491, 500
1378	Contract for the hiring of counsel and consultants to assist in the representation of the Citizen Police Review Board, cost not to exceed \$45,000.00	384, 491
1423	Disposition Contract by and between URA of Pittsburgh and the Pittsburgh Economic and Industrial Development Corporation for the sale of Parcel E-1d, Subdistrict II, Part of Block 29J, Lot 8, District No. 3.	481, 572

<i>BILL NUMBER</i>	Contract	
	<i>SUBJECT</i>	<i>PAGE</i>
1471	Purchase of Alpha Numeric Message Generator and related equipment at a cost not to exceed \$37,000.00	568, 668
1492	Purchase of equipment, material and supplies in connection with there Rehabilitation and Repairs of Various Pools including but not limited to McBride Pool, cost not to exceed \$265,000.00	604, 714
1493	Bridge Inspection and Maintenance Program, cost not to exceed \$85,000.00	604
1513	Purchase and installation of new traffic and streetlight poles and fixtures at Seventh Street and Penn Avenue, cost not to exceed \$40,000.00	647, 769
1551	Consultant(s) and Vendor(s) for the purpose of conducting planning and management studies, and related activities in support of such studies including the purchase of data and data analysis equipment, at a cost not to exceed \$225,000.00	691, 830
1577	Purchase of a document imaging system for the City-County Integrated Identification Program, Public Safety, cost not to exceed \$85,000.00	742, 855
1582	Grant Street Advisor, Inc. to provide financial advisory services for the years 1999, 2000 and 2001 at an annual cost not to exceed \$250,000	743 8519781049

<i>BILL NUMBER</i>	Contract	
	<i>SUBJECT</i>	<i>PAGE</i>
1635	Purchase of supplies, equipment and services for the Bureau of Police at a cost not to exceed \$200,000.00	848, 941
1638	Renovation and rehabilitation of war memorials at various locations throughout the City, cost not to exceed \$69,000.00	849, 884
1661	Professional Services Contract with Fried, Kane, Zuschlag, Walters & Grochmal for the purpose of providing legal counsel for defense of worker's compensation and hear and lung claims	878, 1001
1662	Professional services contract with Ford & Council for the purpose of workers' compensation and heart and lung claims, cost not to exceed \$80,000.00	878, 1001
1663	Professional services contract with Allegheny General Hospital for the purpose of providing medial and ancillary services for the City's Workers' Compensation program cost not tot exceed \$3,360,000.00	878, 979
1682	Purchase of fire hose and related accessories for the Fire Hose and related accessories for the Fire Bureau	933, 984
1683	Purchase of supplies, equipment and services for the Emergency Operations Center at a total cost not to exceed \$500,000.00	933, 1131
1723	Purchase of material, equipment and supplies in connection with the Graffiti Removal Program cost not to exceed \$45,000.00	999, 1080

<i>BILL NUMBER</i>	Contract	
	<i>SUBJECT</i>	<i>PAGE</i>
1724	Purchase of equipment for the Department of Public Works, cost not to exceed \$50,000.00	999, 1080
1725	Purchase of Weight Mate 2000 Truckload Out and Management System, in connection with the Street Resurfacing Program, cost not to exceed \$20,000.00	999, 1080
1744	Maintenance and repair of building structures or any other properties in the custody of the various Departments of the City of Pittsburgh, cost not to exceed \$10,000.00.	1043, 1212
1745	Purchase of material general supplies and equipment by various Departments of the City of Pittsburgh during the calendar year 2000, cost not to exceed \$10,000.00	1043, 1212
1778	Installation of water service at the Police Memorial located on the North Shore; at a cost not to exceed \$31,500.00	1069, 1162
1781	Professional Services Contract with R. W. Beck, Inc. for the purpose of providing general competitiveness consulting services for solid waste collection and potentially other City services, cost not to exceed \$200,000.00	1070
1782	Professional Services Contract with McCrory & McDowell LLC, Certified Public Accountants for the purpose of auditing the claim management functions of the City's Workers' Compensation Third Party administrator, cost not to exceed \$25,000.00	1070, 1160

<i>BILL NUMBER</i>	Contract	
	<i>SUBJECT</i>	<i>PAGE</i>
1819	Purchase of road spikes for the Bureau of Police at a cost not to exceed \$100,000.00	1149, 1276
1820	In connection with relocation of Fort Duquesne Boulevard including construction management and inspection services; providing for a reimbursement agreement with the Commonwealth of Pa, Department of Transportation, and a Cooperation Agreement with the Public Auditorium Authority, cost not to exceed \$13,584.00.00	1150, 1277
1846	Rehabilitation of the Schenley Park Bridge over Boundary Street, including necessary work on private property and other work incidental thereto;, by increasing the total project allocation by \$231,962.75 from \$5,500,000.00 to \$5,731,962.75	1193, 1278
1847	Smallman Street Sidewalk Improvements including Construction Inspection Services; and providing for the payment of the cost thereof; By reducing the total project allocation by \$140,000.00 from \$850,000.00 to \$710,000.00	1194, 1278
1868	Providing for a contract or use of existing contract for the construction of the Brighton Heights and Troy Hill Concession Stands at a cost not to exceed \$75,000.00	1197, 1335

<i>BILL NUMBER</i>	Contract	
	<i>SUBJECT</i>	<i>PAGE</i>
1971	Contract for the payment of supplies, equipment materials and other services required to provide center services for the HACP recreational and Senior Citizens Program, cost not to exceed \$845,000.00	1351, 1464
1972	Contract with the Baseball is Great (BIG) League Youth Sports Program in an amount to exceed \$100,000.00	1352, 1464
1985	Upgrade the 800 MHz radio system for the Emergency Operations Center, cost not to exceed \$95,000.00	1379
1996	Installation of the Computerized Traffic-Responsive Traffic Control System in the Central Business District, cost not to exceed \$358,933.04	1380, 1509
1997	Street Tree Planting at various locations, cost not to exceed \$77,700.00	1380, 1509
1998	Construction of the Municipal Courts Facility at a cost not to exceed \$129,654.98	1380, 1492
2012	Authorizing the City of Pittsburgh to enter into a professional services contract with the PA Economy League, Inc. for the purpose of preparing the 2000-2003 revenue forecast and providing required follow-up for the City of Pittsburgh, cost not to exceed \$20,000.00	1383, 1492

Contract		
BILL NUMBER	SUBJECT	PAGE
2051	Resolution providing for a contract or contracts or use of existing contracts for the installation of banners at Mellon Square, at a cost not to exceed \$13,928.00	1488, 1608
2052	Providing for a Contract or Contracts or use of existing Contracts for the installation of banners at Mellon Square at a cost not to exceed \$13,928.00	1608
2052	Providing for a Contract or Contracts, or use of existing contracts for the installation of banners at Mellon Square; at a cost not to exceed \$13,928.00	1488
2053	Providing for the purchase of materials and supplies for said project at a cost not to exceed \$39,000.00	1488
2085	Purchase of equipment, material, supplies and services for rehabilitation and removal of under ground and above ground storage tanks, cost not to exceed \$60,000.00	1539, 1655
2091	Resolution providing for a contract to bid, for the purchase of a 4x4 Recycling Pickup and Two 9 Cubic Yard Recycling Trailers, in connection with the Recycling Program at the Public Works Environmental Services, Bureau, cost not to exceed \$45,000.00	1541, 1653
2184	Providing for a Contract or Contract, or the use of existing Contracts for Pest Control Services/Rodent Baiting at various CDBG locations throughout the City of Pittsburgh at a cost not to exceed \$224,200.00	1675, 1783

Contract		
BILL NUMBER	SUBJECT	PAGE
2186	Contract with Public Management Resources of San Antonio, as the Auditor, to comply with the consent Decree entered	1675, 1844
2232	Providing for a contract or the use of existing contracts for Play Area Safety Improvements for the Department of Public Works, cost not to exceed \$250,000.00	1772, 1814
2269	Replacement of the Allegheny Park Pedestrian Footbridge at cost not to exceed \$210,000.00	1839, 1941
2270	Purchase of Pickup Trucks, Plows and Spreaders for the Department of Public Works, cost not to exceed \$200,000.00	1839, 1929
2295	Purchase of equipment for the Bureau of Police at a cost not to exceed \$29,000.00	1884, 1960
2296	Rehabilitation of Dakota Street Wall, cost not to exceed \$500,000.00	1885, 1961
2338	Contract for the purchase of equipment in an amount not to exceed \$15,000.00	2005
2353	Purchase of uniforms, protective equipment and related accessories for the Bureau of Police at a cost not to exceed \$221,200.00	1988, 2054
2354	Purchase of equipment for the Bureau of Emergency Medical Services, total cost not to exceed \$115,000.00	1988, 2054

Contract (Amending)		
BILL NUMBER	SUBJECT	PAGE
1374	Providing Contracts in connection with the Grant Street Maintenance	502
1636	Amending Resolution 140/1999 Resolution providing for a contract for street resurfacing programs , by decreasing project allocation to \$4,815,000.00	848, 883
1637	Amending Resolution 141/1999 Resolution providing for Street resurfacing programs to include but	848, 884
1720	Purchase and installation of new traffic and streetlight poles and fixtures at 7th Street and Penn Avenue, cost not to exceed \$65,000.00	998, 1083
1722	Purchase of material, equipment and supplies in connection with the Wall, Step and Fence Program at various areas throughout the City, cost not to exceed \$450,000.00	999, 1079
1748	Contract and or Agreements in connection with the Bridge Inspection and Maintenance Program by increasing total project allocation to \$140,000.00	1043, 1132
1749	Restoration of Seven Tennis Courts at Schenley Oval, the Renovation of Playground in Frick Park, the Renovation of a Recreation Area at Hawthorne Grove, Restoration of Victoria Gardens and for the purchase of equipment and materials for project, by increasing the total project allocation to \$659,499.00 and by correcting the Sub-Class within the account	1043, 1132

Contract (Amending)		
BILL NUMBER	SUBJECT	PAGE
1817	Purchase of supplies, equipment and services for the Emergency Operations Center and providing for the payment thereof by decreasing the amount from \$500,000.00 to \$320,000.00	1149, 1214
1894	Renovation and rehabilitation of war memorials at various locations throughout the City of Pittsburgh, by decreasing the amount from \$69,000.00 to \$61,500.00	1248, 1313
1995	Renovations to the City-County Building and for the purchase of equipment and supplies for said projects, cost not to exceed \$277,952.00	1380, 1509
2096	Amending Resolution 337/1996, contract for various repairs, equipment, or materials for the Department of Parks & Recreation, in connection with the renovation of City swimming pools for a total amount of \$198,000.00	1542, 1656
2123	Contract for street resurfacing programs to include but no limited to ultra thin hot mix asphalt, by making certain corrections to amount appropriated pursuant to Resolution No. 178, effective April 1, 1999	1587, 1653
2124	Contract for street resurfacing programs to include but not limited to ultra thin hot mix asphalt, etc., by making certain corrections to Resolution No. 178, effective April 1, 1999	1587, 1653

Contracts

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2053	Providing for a Contract for the construction of a concession stand at Fort Pitt field; providing for the purchase of materials and supplies for said project, at a cost not to exceed \$39,000.00	1608

Cooperation Agreement

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
846	Cooperation Agreement with the Public Auditorium Authority of Pittsburgh for the establishment of a trust fund and the deposit therein of earned income tax paid by nonresident professional athletes and other nonresidents who use government owned sports facilities	241
1084	Cooperation Agreement with the URA of Pittsburgh, the County of Allegheny and the Pittsburgh City School District providing for the financing, monitoring, implementing and terminating of the South Side Works Tax Incremental Financing District	267
1115	East Liberty - Home Depot, USA Tax Incremental Financing District, District No. 9	362
1128	Providing for the transfer of funds not to exceed \$483,680.00 to the City of Pittsburgh Equipment Leasing Authority for the purchase of vehicles, radios and equipment for use by City of Pittsburgh Departments and Authorities	28

Cooperation Agreement		
BILL NUMBER	SUBJECT	PAGE
1129	Providing for the transfer of funds not to exceed \$3,765,000.00 to the City of Pittsburgh Equipment Leasing Authority for the purchase of vehicles, radios and equipment for use by City of Pittsburgh Departments and Authorities	28
1133	Housing Authority of the City of Pittsburgh for the administration and implementation of the Central Relocation Agency at a cost not to exceed \$148,800.00	29
1134	Housing Authority of the City of Pittsburgh for the administration and implementation of the Center Relocation Agency at a cost not to exceed \$350,000.00	29
1157	Cooperation Agreement with the URA of Pittsburgh providing for the transfer of funds from the Authority to the City to fund community development corporations	61
1158	1998-1999 Cooperation Agreement with the URA providing for the designation of the local matching share for a grant applied for in a Single Application for Assistance filed with the PA Department of Community and Economic Development under the Communities of Opportunity Program for a \$3,215,000.00 grant	61

Cooperation Agreement

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1184	Authorizing the conveyance of lands and buildings, more commonly known as the River Rescue Facility and a tract of land located adjacent to said facility by and between the City of Pittsburgh and the Stadium Authority of the City of Pittsburgh as at a cost of \$1.00 for use of the River Rescue Unit for a term of 29 years	269
1210	Cooperation and Support Agreement among the Public Auditorium Authority of Pittsburgh and Allegheny County, the City of Pittsburgh, the County of Allegheny, the Stadium Authority of the City of Pittsburgh and the Allegheny Regional Asset District Relating to allocation of certain Allegheny Regional Asset District Revenues to the Stadium and Auditorium Authorities,	246
1305	Cooperation Agreement between the County of Allegheny, the Port Authority of Allegheny County and the City of Pittsburgh in connection with the West End Improvements, at a cost not to exceed \$250,000.00	301, 446
1306	Cooperation Agreement with the Commonwealth of PA, Department of Transportation for reimbursement to the state for the City's share of improvements to the Liberty Tunnel South Portal Interchange, at a cost not to exceed \$235,000.00	302, 446

Cooperation Agreement		
BILL NUMBER	SUBJECT	PAGE
1399	Cooperation Agreement with the URA of Pittsburgh providing for the transfer to URA of \$4,500,000 for Neighborhood Infrastructure Support	424, 544
1422	Cooperation Agreement with URA of Pittsburgh providing for the transfer to URA of \$670,000.00 for the Allequippa Terrace Project, District 6	481, 572
1580	URA of Pittsburgh for the performance of certain work in connection with the 1999-2000 CDBG Program and providing for the payment of the cost thereof	743, 854
1581	URA of Pittsburgh for the transfer to URA of \$450,000.00 for North Shore Riverfront Development, District 6	743, 1016
1609	Cooperation Agreement with Parking Authority in connection with the Rehabilitation/replacement of the S. 10th Street and S. 15th Street, \$944,600.00	810, 912
1755	Cooperation Agreement with the URA of Pittsburgh to implement the Bedford Redevelopment Proposal, District 6	1044
1757	Cooperation Agreement or Agreements with URA of Pittsburgh to implement the river Avenue Redevelopment Proposal Council District 1	1044
1758	Cooperation Agreement with URA for the River Avenue Redevelopment Area (Council District No. 1)	1045

Cooperation Agreement		
BILL NUMBER	SUBJECT	PAGE
1760	Cooperation Agreement with the URA of Pittsburgh will transfer \$3,531.27 to the City of Pittsburgh to be used by the Department of City Planning to fund community development corporations	1045, 1130
1825	Authorizing a 1999-2000 Cooperation Agreement or Agreements with the URA of Pittsburgh providing for the designation of the local matching share for a grant applied for in a Single Application for Assistance filed with the PA Department of Community and Economic Development under the Communities of Opportunity Program	1150
1927	Cooperation Agreement with the Housing Authority of the City of Pittsburgh for the administration and implementation of the Urban League Counseling Program at cost not to exceed \$92,000.00	1346, 1460
1993	Cooperation Agreement with the Pennsylvania Department of Environmental Protection relative to the installation of 60 linear feet of grouted R-5 along a tributary to Saw Mill Run	1380, 1509
2007	Cooperation Agreement with the URA of Pittsburgh, The County of Allegheny and the School District of Pittsburgh, providing for the financing, monitoring, implement and terminating of Station Square Tax Incremental Financing District, District 2	1382, 1817

Cooperation Agreement

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2029	Cooperation Agreement with the URA of Pittsburgh providing for the designation of the local matching share for a grant applied for in a Single Application for Assistance filed with the PA Department of Community and Economic Development under the Main Street Commercial Reinvestment Program	1432, 1553
2089	Authorizing the City of Pittsburgh to enter into an Cooperation Agreement with the Public Auditorium Authority of Pittsburgh for the establishment of a trust fund the deposit therein of certain earned income tax paid by non-residential professional athletes	1540, 1844
2093	Cooperation Agreement with the URA of Pittsburgh, the County of Allegheny and the School District of Pittsburgh, providing for the financing, monitoring, implementing and terminating of the North Shore East/River Avenue Tax Incremental Financing District	1541, 1939
2120	Cooperation Agreement which provides for the use of funds not to exceed \$60,000.00 from the City of Pittsburgh Equipment Leasing Authority for the purchase of vehicles, radios, and equipment for the use by City of Pittsburgh Departments and Authorities	1586
2163	Cooperation Agreement with the URA of Pittsburgh providing for the transfer of \$16,993.32 from the Authority to the Bureau of Building Inspection for the demolition of Ladora Way	1625

Cooperation Agreement

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2272	Maglev Infrastructure Support Cooperation Agreement by and between the URA of Pittsburgh in connection with the transfer of a portion of the City's Parking Tax Revenue to the Authority	1839, 2043
2273	Urban Redevelopment Authority of Pittsburgh providing for the transfer of \$250,000.00 from the Authority to the City to pay part of the cost of a retain wall on Dakota Street	1839, 1939

Cooperation Agreement (Amending)

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1304	Cooperation Agreement with Pittsburgh Cultural Trust in connection with the Construction of the Lower Allegheny Riverfront Park, by increasing the total project allocation by \$28,000.00 from \$550,000.00 to \$578,000.00	301, 445
1486	Cooperation Agreement which provides for the transfer of funds not to exceed \$483,680 to the City of Pittsburgh Equipment Leasing Authority for the purchase of vehicles, radios and equipment for use by City of Pittsburgh Departments and Authorities, by increasing the total allocation by \$225,000.00	602, 712

Cooperation Agreement (Amending)

BILL NUMBER	SUBJECT	PAGE
1861	Amending Resolution 378/1997, providing for the execution of Cooperation Agreement with the URA of Pittsburgh for the performance of certain work in connection with the 1997-1998 CDBG Program and providing for the payment of the cost thereof by reducing three line items and creating a new line item	1195, 1317
1862	Amending Resolution 632/1996, providing for the execution of a Cooperation Agreement with the URA of Pittsburgh for the performance of certain work in connection with the 1996-1997 CDBG Program and providing for the payment of the cost thereof, by reducing one line item and creating a new line item	1196, 1317
1992	Cooperation Agreement with the U.S. Army Corps of Engineers to acquire right-of-way design and construct the Lower Saw Mill Run Flood Protection Improvements and to commit the City's share of \$3.525 Million	1380, 1509

Disposition Contract

BILL NUMBER	SUBJECT	PAGE
1233	Disposition of Land by and between the URA and Allegheny Center Associates, for the sale of Parcel 3 (Block 8G, Lots 206 and 207, 20th Ward, 334 Federal Street (Parking Lot)	268

Disposition Contract		
BILL NUMBER	SUBJECT	PAGE
1233	Sale of land by and between the URA and Chartiers Nature Conservancy, Inc. for the sale of parcels 11 and 14 for \$1.00, Summerdale Street, Council District No. 2	192
1863	Contract for disposition of land by and between the URA and Brookwood, Inc., and its assigns for the sale of the eastern portion of vacated 25th Street in the 16th Ward of the City of Pittsburgh Council District No. 3. (Parking)	1196, 1317
2274	Disposition of land by and between the URA of Pittsburgh and Stephen Gombas, 15th Ward of the City of Pittsburgh Redevelopment Area No. 40, Block 56F, Lots 118, 120, 121 & 122, Council District 5	1840, 1939
2301	Contract of Disposition by Sale of Land by and between the URA of Pittsburgh and Calvin L. & Pamella Sheffield for the Sale of Block 14-E, Lot 65, 18th Ward, 304 Beltzhoover Avenue	1885, 1960
2315	Contract for Disposition of URA and the Public Auditorium Authority of Pgh and Allegheny County Sports and Exhibition Authority of Pittsburgh and Allegheny County for the sale of various parcels in council district 1	1918, 1991

Easement

BILL NUMBER	SUBJECT	PAGE
1751	Agreement with Glidas A. Kaib, Jr, for an easment for ingress, egress and regress in and over a vacated portion of Vinecliff Street in the 18th Ward, Council .	1044, 1081

Encroachment

BILL NUMBER	SUBJECT	PAGE
1445	Granting unto The University of Pittsburgh a license to construct, maintain and use at their own cost and expense a steam line on Lytton Avenue, electric, telecommunication and chilled water lines on Tennyson Avenue and chilled water line on Fifth Avenue	520, 610
1446	Granting unto Cupka's Café II a sidewalk café on a portion of the sidewalk at 2314 East Carson Street, 16th Ward, 3rd Council District	520, 610
1447	Granting unto David and Patricia wolf an encroachment to construct a wall and fence on a portion of the right-of-way of Murray Avenue, 14th Ward, 5th Council District	520, 610
1544	Granting unto Friendship Development Associates and encroachment to construct, a handicap ramp on a portion of the sidewalk area of 5530 Penn Avenue in the 9th Ward, 9th Council District	690, 828
1545	Granting unto Shah Chinulal Mafatlal an encroachment to construct a handicap ramp on a portion of the sidewalk area of 5165 Butler Street, 10th Ward, 7th Council District	691, 828, 853

Encroachment

BILL NUMBER	SUBJECT	PAGE
1546	Granting unto Home Depot, Regional Headquarters, and encroachment to construct an 18" storm sewer encroachment under the sidewalk of east Liberty Boulevard, 11th Ward, 9th Council District	691, 828
1547	Granting unto Valenta Platt Design Group, Inc. an encroachment to construct a double-faced projecting sign over the sidewalk area of 2006 East Carson Street 17th Ward, 3rd Council District	691, 828
1610	Granting unto Allegheny County an encroachment to construct, an Exhibit/Information Panel on a portion of the sidewalk area of Forbes Avenue adjacent to the City- County Building	810, 912, 939
1664	Granting the Pittsburgh Water & Sewer Authority's permanent utility easement and privilege and license to install a 15-inch sewer line across City of Pittsburgh property designated as Block 6-A, Lot No. 97 located on South Main Street, 20th Ward	878, 1001
1727	Granting unto Alain Pizzutti, the privilege and license to construct a sidewalk café' and planter on the sidewalk area of 709 Bellefonte Street, 7th Ward, 8th District	999, 1080,1161
1728	Granting unto Ironworkers Local No. 3, 2201 Liberty Avenue an encroachment to construct a historical marker on a portion of the sidewalk area of Grant Street, 1st Ward, 6th Council District	999, 1080

Encroachment

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1729	Granting unto Allegheny University Hospital an encroachment to construct a pneumatic tube conveyance system, fiber optic cable and electrical conduit and manholes for access on a portion of the right-of-way of Hemlock Street, 22nd Ward	999, 1081
1753	Granting unto Michael J. Septak, his successors and assigns an encroachment to construct, a planter on the sidewalk area of 1201 Woodland Avenue and a stoop and handicap ramp on the sidewalk area of Stayton Street, 27th Ward, 1st Council District	1044, 1129
1848	Granting unto Urban Redevelopment Authority an encroachment to construction a projecting window and identification sign over a portion of the sidewalk at 2525 Liberty Avenue, 2nd Ward, 6th Council District	1194, 1312
1849	Granting unto Michael F. Healey, an encroachment to construct and use at his own cost and expense, two bay windows and a roof canopy over a portion of the right-of-way of 1824 Carey Way, 17th Ward, 3rd Council District	1194, 1312
1850	Granting unto Port Authority of Allegheny County an encroachment to construct a roof canopy over a portion of the right-of-way of Liberty Avenue between	1194, 1312

Encroachment

BILL NUMBER	SUBJECT	PAGE
1851	Granting unto Seddon and Frances Bennington, their successors and assigns, an encroachment to construct and maintain and use at their won cost and expense, 2 Banner Signs and 3 Canopy/Awnings on Liberty Avenue, 2nd Ward, 6th Council District	1194, 1312
1852	Granting unto Beynon Building Company 1900 Allegheny Building 429 Forbes Avenue, an encroachment to construct, maintain and use at their own cost and expense, a handicap ramp with a guard rail and hand rail on Wood Street, 1st Ward, 6th Council District	1194, 1313,1602
2023	The University of Pittsburgh, their successors to construct a chilled water lines on a portion of the right-of-way of Ruskin Avenue, 8th Council District	1432, 1551
2024	The Biz Foundation, to construct a electrical vaults and mounted lighting fixtures for 121 Ninth Street, between Fort Duquesne Boulevard, 6th Council District	1432, 1551
2055	Granting unto Donatelli's Italian Foods, Inc., 4711 Liberty Avenue, the license to construct a sidewalk café on a portion of the sidewalk at 4711 Liberty Avenue, 8th Ward, 7th Council District	1489, 1602
2056	Granting unto D'Elia Wittkos/Double Eagle Corporation, 1 Market Street, Pgh, PA 15222	1489, 1602

Encroachment

BILL NUMBER	SUBJECT	PAGE
2057	Granting unto Pittsburgh Cultural Trust to construct at their own cost and expense, trees with metal grates on a portion of the sidewalk area of 635 Penn Avenue, 2nd ward, 6th Council District	1489, 1603
2125	Granting unto the University of Pittsburgh 124 Cathedral of learning an encroachment to construct underground steam, chilled water, sanitary, water/fire protection lines and electrical utilities on portions of the right-of ways on Terrace Street, DeSoto Street, O'Hara Street, N. Bouquet Street and Sutherland Drive in the 4th Ward, 8th Council District of the City of Pittsburgh	1588
2125	Granting unto The University of Pittsburgh 124 Cathedral of Learning, an encroachment to construct, maintain and use at their own cost and expense, underground steam, chilled water, sanitary, water/fire protection lines and electrical	1679
2126	Granting unto 312 Boulevard Associates and encroachment to construct, maintain and use at their own cost and expense, planters on a portion of the sidewalk area at 312 and 322 Boulevard of the Allies in the 1st Ward, 6th Council District	1588, 1747

Encroachment

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2160	Granting unto Equity capitol Holdings, Allegheny Tower Limited Partnership an encroachment to construct, at their own cost and expense (2) signs with lettering on both sides projecting over the sidewalk area of 625 Stanwix Street and over the entrance of Fort Duquesne Boulevard, 2nd Ward, 6th Council District	1625
2161	Granting unto Russell and Irene Lanza an encroachment to construct at their own cost and expense a parking area and driveway for expansion of a warehouse at Lampe Avenue, between the terminals of Greentree Road and the dead end portion of Lampe Avenue, 20th Ward, 2nd Council District	1625, 1747
2196	Granting unto John Steiner, an encroachment to construct a patio and garden area in the rear of 171 S. 22nd Street on Edwards Way between 22nd and 23rd Streets, 17th Ward, 3rd Council District	1717, 1815
2197	Granting unto First Lutheran Church, 615 Grant Street an encroachment to construct a guard rail on a portion of the right-of-way of Garland Way, 2nd Ward, 6th Council District	1717, 1815

Encroachment

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2198	Granting unto Walnut Capital Partners, Shadyside, L.P., an encroachment to construct, maintain and use at their own cost and expense, trees, lights, canopies and banners on a portion of the right-of-ways of 5541 Walnut Street and Ivy Street, 7th Ward, 8th Council District	1718, 1815
2300	East Allegheny Community Council to construct and use at their own expense, geothermal heating and cooling distribution lines on portions of the right-of-way of Moravian Way, Cedar Avenue, James, Foren and Suismon Street and East Allegheny Community Council, 23rd Ward, 1st Council District	1885, 1958
2319	Society of Western PA a license agreement to install, maintain and finally remove at their own cost a historical marker on City of Pittsburgh property designated as Block 23R, Lot 157, Allegheny Center	1918, 1990

Encroachment (Amending)

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2166	Granting an Encroachment unto Patricia Rethage an encroachment to construct, maintain and use at her own cost and expense, a driveway and guard rail on a portion	1625

Encroachment (Amending)

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2227	Amending Resolution 60/1997, granting unto Patricia Rethage, 131 Hackstown Street an encroachment to construct and use at their own cost and expense a driveway and guard rail on a portion of the right- of-way on hackstown Street, 17th Ward, 3rd Council District, Amending Resolution 60/1997	1770, 1850

Encroachment (Repealing)

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1726	Granting unto the Buncher Company an encroachment to construct, and use at their own cost and expense an aerial encroachment and sub-surface encroachment at 13th Street between Penn Avenue and Smallman Street, extending 14th Street, 2nd Ward and granting unto the Buncher Company an easement in accordance with the attached Easement Agreement	999, 1080

Fees

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1236	Establishing fees for the Department's Swimming Pools Program, effective January 1, 1999	193, 309, 363

Grant

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1313	Submitting an application to the Commonwealth of Pennsylvania Department of Community and Economic Development for the Emergency Shelter Grant Program for fiscal year 1999	303, 404

Grant		
BILL NUMBER	SUBJECT	PAGE
1357	Adopting & Approving the 1999 Capital Budget and the 1999 CDBG Program; and approving the 1999 through 2004 Capital Improvement Program, by transferring \$4,000,000.00 from various accounts to Citywide Resurfacing Code Account	339, 396, 430
1394	Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program, approving the 1999 through 20004 Capital Improvement Program" by adding \$76,332.00 to various line items	423, 543
1556	Filing of Community Development state by the City of Pittsburgh with the U>S> Department of Housing in connection with the 19997 CDBG Program	692, 830
1642	Amending Resolution 453/1998, 1998 Community Development Block Grant, so as to reprogram funds in the Mayor's Office at a total cost of \$21,181.00	850
1705	Filing of application in connection with the Job Training Partnership Act and/or Workforce Investment Act of 1997 and/or the Join Jobs Initiative Program Single Point of Contact (SPOC) and/or the Balanced Budget Act of 1997	971, 1049

Grant		
BILL NUMBER	SUBJECT	PAGE
1777	Pennsylvania Department of Conservation and Natural Resources in connection with the addition/improvements to McBride Pool, Phillips Park Spray Pool, Homewood Senior Center and the Sheraden Playground, the grant of \$250,000.00 will cover 50% of the estimated construction of \$500,000.00	1069, 1162
1867	Grant in connection with the 1998 CDBG Grant Program, so as to reprogram funds in Public Works and Engineering & Construction	1196
2097	Approving the 1996 Capital Block Grant Program; and approving the 1996 through 2001 Capital Improvement Program, by reducing the Major Repairs & Emergencies line item in the Department of Parks and Recreation by \$60,000.00 and increasing the Fuel Island Rehabilitation line item, in the Department of General Services by \$60,000.00	1542
2129	Providing for the filing of a Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with 1994 CDBG Program, transferring funds form a project in the Department of Parks & Recreation (School Outreach Program and create a line item in the Equipment Leasing Authority (Capital Equipment Acquisition)	1588, 1939

Grant

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2201	Authorizing the City of Pittsburgh to submit three grant applications to and execute relevant agreements with the Pennsylvania Department of Conservation and Natural Resources Keystone Recreation, Park and Conservation Fund Program and URA to submit a grant application to the PA Department of Conservation and Natural Resources Keystone Recreation Park and Conservation Fund Program	1718, 1849
2233	Adopting and approving the 1995 Capital Budget and the 1995 Community Development Block Grant Program and approving the 1995 through 2000 Capital Improvement Program," by decreasing Play Area Safety Improvements, Primary Project Number 2249211 by \$250,000.00	1772, 1814
2234	Adopting and approving the 1999 through 2004 Capital Improvement Program" by increasing "City Clerk's Office Modernization" Line Item by \$180,000.00	1772, 1815

Grant (Amending)

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1122	1998 Community Development Block Grant Program , so as to reprogram funds in City Council	2, 62
1202	1996 Community Development Block Grant Program, so as to reprogram funds in City Council, amending resolution 250/1997	268

Grant (Amending)

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1639	Amending Resolution 303/1998, so as to reprogram fund in City Council, at a total cost of \$22,323,000.00	849, 940
1799	Amending Resolution 781/1999, "Adopting the 1999 CDBG and approving the 1999 through 2004 Capital Improvement Program, by adding non-bond proceed funding sources to the Integrated Self-assessed tax Project which increases the proposed budget from \$964,00 to \$1,939,000	1096, 1199
1858	Grant in connection with the 1996 CDBG Program; so as to reprogram funds in the Urban Redevelopment authority and create a project, River Avenue Redevelopment Project in the URA	1195, 1316
1859	Grant in connection with the 1997 CDBG Program, so as to reprogram funds in the URA and create a project "River Avenue Redevelopment Project" in URA	1195, 1316
2000	Amending Resolution 380 of 1999 grant in connection with the 1997 CDBG Program, so as to reprogram funds in City Council and transfer a project from the Housing authority of Pittsburgh to the Department of City Planning (Urban League)	1381, 1460
2003	Filing of CDBG Statement in connection with the 1998 CDBG Program and execution of grant contracts, so as to reprogram funds in City Council	1382, 1461

Grant (Amending)

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2004	Filing of CDBG Statement in connection with the 1996 CDBG Program, providing execution of grant contracts, so as to reprogram funds in City Council	1382, 1461

Historic Designation

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1312	Designation as a Historic Structure under Section 513 of Chapter 10007 of the Code of Ordinance that certain structure located at 141 Mayflower Street, 12th Ward	302, 711
1450	Providing for the denial of the addition of the property located at 2500-2700 East Carson street (Northside), portions of Block and Lot Number 029-J-008, in the 17th Ward, City of Pittsburgh, to the existing East Carson Street Historic District, under Section 513 of Chapter 1007 of the Code of Ordinances	521, 1010
1472	Designating that certain structure located at 514 Smithfield Street and all the property designated as Block and Lot Number 2-E-030, 2nd Ward	568

Historic Structure		
<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1930	Designation as a Historic Structure under Section 513 of Chapter 1007 of the code Ordinances that certain structure known as Allegheny Traditional Academy and located at 810 Arch Street, and all of the property designated as Block and Lot Number 023-P-078, in the Twenty-second Ward, City of Pittsburgh	1347, 1929
1931	Designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinance that certain structure now as Arsenal Middle School and located at 3901 Butler Street and all of the property designated as Block and Lot Number 049-E-245, 6th Ward, City of Pittsburgh	1347, 1929
1932	Designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure now know as Beechwood Elementary School and located at 810 Rockland Street, 061-R-156, 9th Ward	1347, 1929
1933	Designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Beltzhoover Elementary School and located at 320 Cedarhurst Street, 18th Ward	1347, 1930

Historic Structure

BILL NUMBER	SUBJECT	PAGE
1934	Designation as a Historic Structure under Section 513 Chapter 1007 of the Code of Ordinances that certain structure known as Colfax Elementary School and located at 2332 Beechwood Boulevard and all of the property designated as Block and Lot number 128-A-056, 14th Ward	1347, 1930
1935	Designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Concord Elementary School and located at 2340 Brownsville Road and all of the property designated as Block and Lot Number 045-M-340 in the 29th Ward	1347, 1930
1936	Designation as a Historic Structure under Section	1347, 1930
1937	Designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Fifth Avenue High School and located at 1800 Fifth Avenue, 1 St ward	1347, 1930
1938	Designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Fort Pitt Elementary School and located at 5101 Hillcrest Street, 10th Ward	1347, 1930

Historic Structure

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1939	Designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Dilworth Elementary School and located at 6200 Stanton Avenue, 11th Ward	1348, 1930
1939	Designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Dilworth Elementary School and located at 6200 Stanton Avenue, and all the property designated at 11th Ward	1348
1940	Designation as a Historic Structure under Section 513 of Section 1007 of the Code of Ordinances that certain structure known as Fulton Elementary School and located at 5799 Hampton Street, 11th Ward	1348
1941	Designation as a Historic Structure under Section 513 of Chapter 1007 of the Code Of Ordinance certain structure known as Friendship Elementary School and located at 5501 Friendship Avenue, 18th Ward	1348, 1930
1942	Designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that Section 1007 of the Code of Ordinance that certain structure known as Fulton Elementary School and located at 5799 Hampton Street, 11th Ward	1348

Historic Structure		
<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1943	Designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Greenfield Elementary School and located at 1 Alger Street, 15th Ward	1348, 1931
1944	Designation as a Historic Structure under Section 513 of Chapter 1007 of the code of Ordinances that certain structure known as Knoxville Middle School and located at Charles and Grimes Avenue, 13th Ward	1348
1945	Designation as a Historic Structure under section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Langley High School and located at 2940 Sheraden Boulevard, 28th Ward	1348, 1931
1946	Designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Iremington Elementary School and all of the property designated as Block and Lot Number 173-A-176, 12th Ward	1348
1947	Designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as the auditorium wing of Letsche Education Center and located at Bedford Avenue, 3rd Ward	1348

Historic Structure		
<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1948	Designation as a Historic Structure under Section 413 of Chapter 1007 of the code of Ordinances that certain structure known as Lincoln Elementary School and located at Lincoln and Frankstown Avenues, 12th Ward	1348, 1931
1949	Designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure now know as Linden Elementary School and located at 725 South Linden Street in the 14th Ward	1348
1950	Designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure know as Madison Elementary School and located at 3401 Milwaukee Street, 5th Ward	1349, 1931
1951	Designation as a Historic Structure under Section 513, that certain structure known as McCleary Elementary School at 5251 Holmes Street, 10th Ward	1349
1952	Designation as a Historic Structure under Section 512 of Chapter 1007 known as Morrow Elementary School, 27th Ward	1349, 1931
1953	Designation as a Historic Structure under Section 512, structure known as Mifflin Elementary School, 31st Ward	1349
1954	Designation as a Historic Structure under Section 513, Chapter 1007 certain structure known as Oliver High School and located at 2323 Brighton Road, 27th Ward	1349, 1931

Historic Structure		
<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1955	Designation as a Historic Structure under Section 513 of Chapter 1007, structure known as Perry Traditional Academy located at 3875 Perrysville Avenue, 26th Ward	1349, 1932
1956	Designation as a Historic Structure under Section 513 of Chapter 1007 structure located at Pittsburgh Board of Education Child Care Program Offices, 822 Boggs Avenue, 19th Ward	1350
1956	Designation as a Historic Structure under Section 513 of Chapter 1007 structure known as Perry Traditional Academy and located at 3875 Perrysville Avenue, 26th Ward	1349
1957	Designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinance that certain Structure known as The Pittsburgh High School for the Creative and Performing Arts and located at 925 Brushton Avenue, 13th Ward	1350
1958	Designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as Prospect Middle School for Multicultural Education and located at 3 Cowan Avenue, 19th Ward	1350
1959	Designation as a Historic Structure under Section 513 of Chapter 1007 of that certain structure known as Rogers School for the Creative and Performing Arts and located at 5525 Columbo Avenue, 10th Ward	1350

Historic Structure		
<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1960	Designation as a Historic Structure under Section 513 of Chapter 1007 that certain structure known as Schiller Classical Academy and located at 1018 Peralta Street 23rd Ward	1350, 1932
1961	Designation as a Historic Structure under section 513 Chapter 1007 of the Code of Ordinances that certain structure formerly known as Latimer School, now The Schoolhouse Apartments, and located at Tripoli and James Streets, 23rd Ward	1350, 1932,1938
1962	Designation as a Historic Structure under Section 513, Chapter 1007, that certain structure known as Sterrett Classical Academy and located at 71000 Reynolds Street, 14th Ward	1350, 1932
1963	Designation as a Historic Structure under Section 513 of Chapter 1007 structure known as Taylor Allerdice High School, located in the 14th Ward	1350
1964	Designation as a Historic Structure under Section 513 of Chapter 1007, structure known as Thaddeus Stevens Elementary School, 20th Ward	1350, 1933
1965	Designation as a Historic Structure under Section 513 of Chapter 1007, structure designated as Washington Polytechnic Academy, 9th Ward	1350
1966	Designation as a Historic Structure under Section 513 of Chapter 1007 certain structure known as Weil Technical Center, 5th Ward	1351

Historic Structure

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1967	Designation as a Historic Structure under Section 513 of Chapter 1007 structure known as Westinghouse High School, 12th Ward	1351, 1933
1968	Designation as a Historic Structure under Section 513 of Chapter 1007 that certain property known as Weil Technical Center, 5th Ward	1351, 1933
2095	Designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain property known located at 5629-5669 Beacon Street, all the property designated as Block and Lot Number 086-P-196, 14th Ward	1542, 1849
2228	Designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as the former Lawrence Paint building and located at 1124 West Carson Street and al of the property designated as Block and Lot Number 006-H-091, in the Nineteenth Ward, City of Pittsburgh	1771, 2022

Lease

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1372	Community Oriented Police mini station - 9th District, 11th Ward, yearly rental cost to the City of Pittsburgh is \$1.00, HOME DEPT. U.S.A., Inc.	383, 501

Lease

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1795	Lease for the use of certain property for senior citizen facilities for the center services to senior citizens in an amount not to exceed \$173,600.00, chargeable to and payable from the Senior Citizens Program Trust Fund in the Department of Parks and Recreation	1095, 1213
1843	Providing for a Lease and/or Sublease of space located at 815 Warrington Avenue, Pittsburgh, PA 15210, 18th Ward from the lessor, Allentown Civic Association for the purpose of establishing a Community Oriented Police mini-station, effective August 1, 1999 and renewable annually at a cost to the City of not more than \$70.00 per month to off-set the cost of utilities	1193, 1331

Lease Agreement

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2266	Lease space located at 430 Cathedral Street, Pgh, PA 15210 for the purpose of establish a Community Oriented Police mini-station, renewable annual at a cost not more than \$70.00 per month to off set cost of utilities	1839, 1940
2267	Lease building at 930 Saw Mill Run Boulevard from the Department of Transportation for the purpose of establishing a Department of Public Works operational sub-Division, made effective November 15, 1999	1839, 1940

Lease Agreement

BILL NUMBER	SUBJECT	PAGE
2340	Mon Valley Petroleum, Inc., enter into a lease agreement not to exceed 30 years for two vacant lots on Butler Street and a portion of Ballard Way vacated by resolution enacted July 8, 1998	1955, 2006

License Agreement

BILL NUMBER	SUBJECT	PAGE
1826	Authorizing the Mayor, the Director of City Planning, Director of Parks and Recreation and the Director of Finance to grant a license or licenses to interested and qualified individuals and/or entities to enter upon the use various docking or landing facilities along the Allegheny, Monongahela and Ohio Rivers for the limited purpose of access to upon and from said land, as docking locations for water taxi services	1150, 1261

Miscellaneous

BILL NUMBER	SUBJECT	PAGE
	Declaring the Bavarian Beneficial Association to be a civic and/or service organization within the context of the Pennsylvania Small Gaems of Chance Act	770
993	Authorizing the Mayor and the Director of Finance to sell and transfer all that real property and landslide building known as the City of Pittsburgh River Rescue Center to the Stadium Authority for a sale price of \$2,500,000	304

Miscellaneous

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
994	Directing the Treasurer of the City of Pittsburgh to make appropriate changes to the City of Pittsburgh's earned income tax regulations and procedures so as to include the requirement of all professional sports players working in the City on a part time basis to pay the City's earned income tax	245
1124	Transfer of ownership of the City of Pittsburgh Cable Communications from Tele-Communications, Inc. d/b/a TCI Of Pennsylvania to AT&T Corporation as a result of TCI's pending acquisition	27
1132	Directing the City Law Department of Personnel and the Civil Service Commission to report to City Council on the feasibility and cost of performing an investigation of civil litigation on applicants for City of Pittsburgh police Officer, in addition to the standard criminal background investigation	29, 91
1141	Resolution establishing a committee to recommend revisions to Section 719, Vendors and peddlers of the City Code and any other Provisions of the Code that pertain to vending and peddling in the City of Pittsburgh	30
1149	Designated the East Liberty Nabisco Bakery Project as an Industrial Development of the Steel Valley Authority and Approving the Authority's Exercise of its Power of Eminent Domain in that Project	59, 91

Miscellaneous

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1153	Directing the City Controller to create a Trust Fund dedicated for the sole purpose of employing part-time drivers and laborers to assist with the Department of Public Works' Snow and Ice Control Program. The trust fund will be entitled STORM TEAM TRUST FUND	60
1155	Directing the Directors of Public Works and Personnel and Civil Service to recruit and employ part-time drivers and laborers to assist with the Dept. of Public Works' Snow and Ice Control Program	60
1197	Establishing a Newspaper Vending Machine Task Force and directing the Department of Public Works and City Planning to prepare an Objective Report on Newspaper Vending Machines	256
1208	Creation of an Oakland Business Improvement District	358
1231	Resolution authorizing the Mayor and the Director of General Services to amend the city's Minority Business Enterprise/Women Business guidelines so as to allow a 25% minority and 10 % female at the job site construction related employment goal, cost not to exceed \$250,000.00	192, 910
1263	Authorizing the purchase of a \$15,000.00 group life insurance for each part-time, non-union employee	241, 343

Miscellaneous

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1300	Directing the Chief of Police and the City Solicitor to prepare and submit to City Council a written assessment and evaluation report regarding the City of Pittsburgh's purchase and installation of video cameras on or in police vehicles operating in the City of Pittsburgh	301
1315	Directing the Public Safety Director/Deputy Mayor of Operations, Pittsburgh Police Chief, Pittsburgh Housing Authority Police Chief, Housing Authority director, Executive Secretary, Youth Policy Coordinator to forward to Pittsburgh City Council, within 10 working days, a report of actions taken to date addressing the recent shootings and violence between youth in the Hilltop Communities of Council District 3	303, 371
1324	Recognizing and declaring the Pittsburgh Action Against Rape, Inc. to be the civic and or service organization within the context of the PA Small Games of Chance Act	326
1360	Extending the term of existence of the Public Auditorium Authority of Pittsburgh and Allegheny County, term to expire 50 years from the date of approval	340
1361	Authorization for the Controller to release 1996 Pre-Encumbrances outstanding the Mayor's Office that are no longer needed	340

Miscellaneous		
BILL NUMBER	SUBJECT	PAGE
1383	Requesting the City Solicitor to file a legal action, in either state, federal court, to recover damages and other relief by various gun manufactures who fail to institute specified safety guidelines	384, 1002
1395	Redevelopment Proposal dated February, 1999, including Modification No. 8 to the Redevelopment Area Plan, for redevelopment activities in a portion of Redevelopment Area No. 12, Allegheny Center, in the 22nd Ward of the City of Pittsburgh Council District o. 6	423, 660
1442	Authorizing and Directing the Office of the Mayor to operate the City of Pittsburgh Growth Initiative Fund, dedicated to attracting jobs and businesses to the City of Pittsburgh	615
1442	Authorizing and Directing the Office of the Mayor to operate the City of Pittsburgh Growth Initiative Fund, dedicated to attracting jobs and businesses to the City of Pittsburgh	519
1444	Amending the Rules of Council, Rule IV (C) and VI (C), in compliance with the 1998 amendment to the Pennsylvania Sunshine Act. (SPONSORED BY MR. HERTZBERG)	520, 571
1449	Amending the Rules of Council, VI, to comply with Pennsylvania Act 93 of 1998, recent amendments to the Sunshine Act, for procedures for public comment	520

Miscellaneous

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1458	Directing the Director of Planning, in conjunction with the Urban Redevelopment Authority of Pittsburgh, to develop a comprehensive redevelopment plan for the LTV Steel Company, Inc.'s former Coke and By-Products facility and the Irvine/Second Avenue commercial corridor in Hazelwood and furthermore to develop strategies for the possible acquisition of the LTV property by the URA	614
1490	Authorizing and directing the Directors of the Department of Engineering and Construction and City Planning and the Public Parking Authority to conduct a traffic and parking study of Brookline Boulevard between Pioneer Avenue and Queensboro Avenue, the report is due with 60 days	603, 711
1514	Approving the East Gate Redevelopment Proposal, Council District 9	647, 711
1515	Approving modification No. 7 of the East Liberty Redevelopment Area Plan, Council District 9	647, 764
1523	Authorizing the City of Pittsburgh to accept ownership of the following vacant lots located within the City of Pittsburgh to be dedicated for public use as parklets	649, 765

Miscellaneous

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1529	Authorizing and directing the Director of Public Safety, in conjunction with the appropriate Chiefs of Bureaus within the Department of Public Safety and the Director of General Services and Personnel to take the appropriate actions to develop a pilot program wherein medical emergencies can be responded to by utilizing a motorcycle mounted Emergency Medical Technician in order to augment the City's existing First Responder Program	649, 766
1539	Resolution authorizing members of the Fire and EMS Unions to travel to San Francisco from May 5 - 9, 1999 to attend the EMS Delivery System Seminar, cost not to exceed \$5,000.00	689, 766
1571	Authorizing the Mayor and the Department of Public Works and the Department of Finance to conduct a study of all unimproved rights-of-way, better known as "paper streets" in the City of Pittsburgh. The study shall include the location, condition, use and estimated cost to open and/or maintain these rights of way	693, 1079
1575	National Guard Component of the U.S. Armed Forces or Cost Guard due to Operation Allied Force to Support NATO operations in Kosovo, amount to the difference between their military pay and City salary, and to maintain all health care benefits for said employees, their spouses and dependents during their term of absence in Kosovo	741

Miscellaneous

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1576	Authorizing Raymond V. Demicie, Operations Supervisor, Bureau of Communications, Department of Public Safety to execute for and in behalf of the City of Pittsburgh all required forms and reports for Loan Agreements and Grants under the Federal Nunn-Lugar-Domenici Legislation	742, 910
1605	Authorizing and directing the Mayor and the Director of General Services to lower the Cable Franchise Fee paid by City of Pittsburgh cable television users commensurately with the rate increase recently implemented by TCI of PA	810
1606	Authorizing and dirtying the Director of the Department of Parks and Recreation to name the playground at Broad and Evaline Streets in Garfield the "Nelson Mandela Peace Park	810, 855
1675	Resolution directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum question which would amend the Home Rule Charter to add Article 9: Pittsburgh Works, by requiring a certain percentage of all project work hours on certain City of Pittsburgh construction contracts to be performed by City of Pittsburgh residents and providing for enforcement due process and penalties for violations	915

Miscellaneous

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1754	Approving the Bedford Redevelopment proposal dated May 1999, including the redevelopment area Plan for redevelopment area No. 31, Crawford-Roberts and Redevelopment the 3rd and 5th Wards of the City of Pittsburgh Council District No. 6	1044
1756	Resolution approving the River Avenue Redevelopment Proposal dated June 1999, including Modification No. 2 to the Redevelopment Area Plan for redevelopment activities in portions of Redevelopment area No. 48, River Avenue in the 23rd & 24th Ward, District 1	1044
1869	Creating the Downtown Residential and Citywide Loft Development Task Force	1197, 1262
1870	Directing the Mayor's Office of Business and Employment Opportunities to operate a program of technical assistance and support to construction businesses owned by minorities or women who are residents of the City of Pittsburgh. Such support will include, but not be limited to estimating, bid preparation, blueprint reading, bid and performance bond acquisition and any other business management support needs identified by minority and women owned construction contracts	1197, 1256

Miscellaneous

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1871	Resolution requiring that all contractors and subcontractors of major construction projects, funded in whole or in part by city funds or value, be required to submit to the City of Pittsburgh monthly employee data sheets which identify name, address, municipality, zip code, race, gender, trade and skill level, for all construction employees	1197, 1256
1872	Resolution of the City Council of the City of Pittsburgh determining to incur lease rental debt in an aggregate principal amount of \$37,610,000 by entering into a supporting agreement with the Public Auditorium Authority of Pittsburgh and Allegheny County and the County of Allegheny	1197, 1289
1896	Authorizing and directing the City Solicitor, Director of Department of Planning and the Director of Department of Public Safety (Bureau of Police and Bureau of Building Inspection) to establish a Landlord Responsibility Initiative	1248, 1396
1923	Authorizing and directing the Director of General Services it install an audio system, capable of amplifying the comments and testimony of the Zoning Board, witnesses and observers present in the Board and Commission hearing room 200 Ross Street within 45 days of the passage of this resolution	1345, 1463
1926	Designating the Chartiers Nature Conservancy to plan, build and maintain the Chartiers Creek Trail	1346

Miscellaneous		
BILL NUMBER	SUBJECT	PAGE
1974	Restating Resolution No. 536 in order to modify and correct certain amounts and references	1352, 1452,1468
2005	Resolution amending Rules of Council, Rule IX (a)(2), Committee on Public Works, Water and Environmental Services and Rule X (a)(2) by deleting references to Water and Sewer	1382, 1505
2032	Authorizing and directing various departments to take appropriate action to have certain security devices installed at police stations within the city of Pittsburgh and to establish Police Security Task Force	1433, 1507
2033	Providing for an allotment of vacations days to certain employees affected by Ordinance 13 of 1998	1433, 1492
2040	Directing the City Solicitor to seek an injunction to prevent the transfer of the Pittsburgh International Airport and the Allegheny County Airport to the Allegheny County Airport Authority preceding or following the County Commissioners' final vote to transfer assets	1491
2090	Directing the Solicitor to prepare for formal introduction to Council an Ordinance creating the Neighborhood Infrastructure Improvement Commission, no later than 30 days from the passage of this Resolution. Council shall hold a formal public hearing prior to action on the Ordinance. The Ordinance creating and authorizing the Commission shall contain, but not be limited to the following provisions	1540, 2004

Miscellaneous

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2130	Amending the guidelines to effectuate warrant less arrests for public drunkenness to include guidelines for effectuating warrantless arrests of persons under the influence of a controlled substance, as defined in the Act of April 14, 1972 (P.L. 233, No. 64), known as the Controlled Substance, Drug, Device and Cosmetic Act, except those taken pursuant to the lawful order of a practitioner as defined in the Controlled Substance, Drug, Device and Cosmetic Act, except those taken pursuant to the lawful order of a practitioner as defined in the Controlled Substance, Drug, Device and Cosmetic Act	1588, 1747
2138	Authorizing and directing the Director of Engineering & Construction, in conjunction with the Director of Department of Public Works, to implement a program to significantly enhance the visibility of pedestrian crosswalks and to develop a Crosswalk Safety Campaign to raise the public's awareness of laws governing pedestrian safety law to increase the number of drivers who stop for pedestrians at intersections establish a dangerous intersection hot line	1589, 1690

Miscellaneous

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2164	Resolution approving the Redevelopment Proposal dated March 1998 including Modification No. 6 to the Redevelopment Area Plan, for redevelopment activities in portions of Redevelopment Area No. 10, East Liberty in the 11th Ward of the City of Pittsburgh, Council District No. 9, by inserting language to require the City to provide assistance for displaced businesses.	1625, 1680
2165	Resolution authorizing and directing the office of the Mayor, Director of the Department of Public Safety, Chief of the Bureau of Police, Chief of the Bureau of Fire and Chief of the Bureau of EMS to establish a "Baskets for Babies Program." This program shall place a basket from the Baskets for Babies Program in each of the City's Fire Houses	1625, 1748
2168	Resolution providing for the necessary consent for the Stadium Authority of the City of Pittsburgh (The Stadium Authority) to terminate the long-term lease by and between the Stadium Authority and the Public Parking Authority (The Parking Lease) and the sub- lease to Alco Parking Corporation (The Sub-Lease) encumbering premises owned by the Stadium Authority in the 22nd ward of the City of Pittsburgh to amend both the Basic Agreement by and between the Stadium Authority, the Public Parking Authority, Pittsburgh Associates, L.P. and Pittsburgh Steeler Sports, and the consent decree of march 31, 1989	1626, 1811

Miscellaneous

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2183	Resolution authorizing the Director of Finance to provide a written analysis of the feasibility of providing an offset to the business privilege tax levy in relation to employment of City Residents	1674, 1744
2195	Creating a Task Force to Study Regulating the Towing of Vehicles from Private Parking Lots	1717, 1992
2203	Authorizing and directing the Office of the Mayor, Director of City Information Systems, Director of the Department of General Services, Director of the Department of Parks & Recreation, Director of the Department of Public Safety and the Chief of the Bureau of Police to coordinate, promote, purchase and implement an Are You O.K. Program in the City of Pittsburgh	1718, 1844
2298	Third party cooperation, reimbursement and maintenance agreement by and between the City of Pittsburgh, The Sports and Exhibition Authority of Pittsburgh and Allegheny County and the PA Department of Transportation in connection with the North Shore infrastructure improvements	1885, 1961
2318	Designating Banks and Lending Institutions to act as Depositories for the year 2000 in accordance with the Pittsburgh Code, Title Two, Fiscal, Article III, Depositories	1918, 1990

Miscellaneous

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2336	Authorizing the use of \$10 million from the City's Operating Reserve Fund in connection with the proposed Neighborhood Needs Program as presented in the 2000 Capital Budget	1955

Motion

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Diven, Michael	Motion to perform a performance audit of the firefighters clothing allowance	327
Ferlo, Jim	Motion to table bill No. 1130 and ordinance directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum question which would supplement the City of Pittsburgh's Home Rule Charter, Section 228, Independent Citizen Police Review Board by including the Housing Authority, City of Pittsburgh Police Department	1393
Ferlo, Jim	Motion to table the motion to override Bill 2373	2039
Ferlo, Jim	Recommittal on Bill 1895 - An Ordinance amending Ordinance No. 28 of 1998 entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article I, Administration, Section 201.11, Tax Increment Financing Registration," by changing the percentage of city residents to be hired from 50% to 35%	1311

Motion

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Ferlo, Jim	Requesting a Legal opinion on Council Bill 1784, Petition from the residents of the City of Pittsburgh requesting a public hearing into the actions of Chief Fadzen, head of security for the Board of Public Education	1070
Ferlo, Jim	Amend by substitute Bill 846 Resolution authorizing a Cooperation Agreement with the Public Auditorium Authority of Pittsburgh for the establishment of a trust fund and the deposit therein of earned income tax paid by nonresident professional athletes and other nonresidents who use government owned sports facilities	254
Ferlo, Jim	Table Bill 994 Resolution directing the Treasurer to make appropriate changes to the City of Pittsburgh's earned income tax regulations and procedures so as to include the requirement of all professional sports players working in the City of Pittsburgh on a part-time basis to pay the City's earned income tax	254
Hertzberg, Alan	Amendment to Bill 1197 Newspaper Vending Machine Task Force Objective Report on newspaper Vending Machines	257
Hertzberg, Alan	Motion to reconsider Bill No. 2040 - resolution directing the City Solicitor to seek an injunction to prevent the transfer of Pittsburgh International Airport and Allegheny County Airport to the Allegheny county Airport Authority	1544

Motion

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Hertzberg, Alan	Motion to table Bill 229, a transfer of \$115,000.00 from various code accounts within the Department of Public Works	2007
McDonald, Valerie	Motion to cancel Public hearing concerning personnel and students at the city school system	1279
McDonald, Valerie	Motion to Untable bill 1974 - a Resolution of the City Council determining to incur lease rental debit in an aggregate principal amount of \$37,610.00 by entering into a supporting agreement with the Public Auditorium Authority of Pittsburgh and Allegheny County and the County of Allegheny	1433
McDonald, Valerie	Motion to override bill 2212, a communication from the Mayor submitting a veto of Council Bill No. 1759, entitled "An ordinance amending and supplementing the Pittsburgh Code, Title Two, Fiscal Article I, Treasurer, Section 201.11, Tax Increment Financing Registration, by adding a new sections regarding commitment to employ city residents at facilities which are supplied by Tax Increment Financing Registration, by adding new sections regarding commitment to employ city residents at facilities which are supplied by Tax Increment Financing	1720
Onorato, Dan	Motion to Recommit Bill 1379 Sale of Property	537

Motion

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Recommittal	Recommittal of Bill 1450, Resolution providing for the denial of the addition of the property located at 2500-2700 East Carson Street, North Side to the existing East Carson Street Historic District, under Section 513 of Chapter 1007 of the Code of Ordinances	1011, 1015
Ricciardi, Gene	Requesting council to submit a letter of the Board of Trustees of the University of Pittsburgh to meet with the students of the University of Pittsburgh concerning the issue that they are on strike about	718
Udin, Sala	Recommittal of Bill 1582, Contract with Grant Street, Advisors in an amount not to exceed \$750,000.00	979
Udin, Sala	Recommit Bill 1823 - Contract for the lease of Part of Parcel 2, 3rd Ward, Dist. 6 Bedford Avenue at Crawford Street (Parking Garage) (Maglev)	1275

Name Change

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1854	Authorizing the changing of the Name of Randall Street from Gladstone Street to Moon Way in the 15th Ward, 5th Council District of the City of Pittsburgh	1194, 1313
2169	Resolution changing the name of the Public Auditorium Authority of Pittsburgh and Allegheny County to the Sports and Exhibition Authority of Pittsburgh and Allegheny County	1626, 1744

Petition

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1385	Petition from the residents of the City of Pittsburgh requesting a public hearing to discuss URA's sale of land on the LTV site to UPMC for a Football Compound	385
1784	Petition from the residents of the City of Pittsburgh requesting a public hearing into the actions of Chief Fadzen, head of security for the Board of Public Education	1070
2141	Petition from the residents of the City of Pittsburgh requesting a Public Hearing relative to Council Bill No. 1896 - The Landlord Responsibility Initiative	1590

Pledgee

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Allen, Alicia	Leading Council meeting of November 16, 2001 in the Pledge of Allegiance	1823
Andrews, Jonathan	Leading council's meeting of July 27, 199 in the Pledge of Allegiance	1224
Baumbach, Billy	Leading Council's meeting of June 15, 1999 in the Pledge of Allegiance	988
Benning, Joel	Leading Council's meeting of October 12, 1999 in the Pledge of Allegiance	1613
Berry, Chelsey	Leading council's meeting of June 22, 1999 in the Pledge of Allegiance	1026
Burno, John	Leading council's meeting of November 30, 1999 in the pledge of allegiance	1899
Carr, Morgan	Leading Council's meeting of January 26, 1999 in the Pledge of Allegiance	75

Pledgee

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Chavez, Shannon	Leading council meeting of February 9, 1999 in the pledge of allegiance	188
Coennen, Joshua	Leading Council's meeting of March 23, 1999 in the Pledge of Allegiance	461
Cohen, Paige	Leading Council's meeting of February 16, 1999 in the pledge of allegiance	224
Combes, Michael	Leading council's meeting of October 26, 1999 in the pledge of allegiance	1708
Constantine, James	Leading council's meeting of November 30, 1999 in the pledge of allegiance	1899
Dawson, Nathaniel	Leading council's meeting of July 13, 200 in the Pledge of Allegiance	1139
Demanski, Dylan	Leading council's meeting of March 29, 1999 in the pledge of allegiance	504
Duttine, Katleyn	Leading Council's meeting of August 31, 1999 in the Pledge of Allegiance	1339
Fielding, Malik	Leading Council's meeting of February 2, 1999 in the pledgee of allegiance	137
Flanagan, Adam	Leading council's meeting of April 13, 1999 in the Pledgee of Allegiance	590
Fuga, Shane	Leading Council meeting of January 12, 1999 in the Pledge of Allegiance	25
Galazy, Melinda	Leading Council's meeting of October 5, 1999 in the Pledgee of Allegiance	1566

Pledgee

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Gillespis, Katie	Leading council's meeting of December 14, 1999 in the Pledge of Allegiance	1981
Hertzberg, Kara	Leading council's meeting of June 29, 1999 in the pledge of Allegiance	1059
Hirschfeld, Mark	Leading Council's meeting of January 5, 1999 in the Pledge of Allegiance	1
Jackson, Miles	Leading council's meeting of November 8, 1999 in the pledge of allegiance	1789
Lazzaro, Dana	Leading council's meeting of November 30, 1999 in the pledge of allegiance	1899
Leslie, Brittany	Leading Council's meeting of August 31, 1999 in the Pledge of Allegiance	1339
Mack, Amanda	Leading Council's meeting of February 2, 1999 in the Pledgee of allegiance	137
McNeill, Brittany	Leading council's meeting of April 20, 1999 in the Pledge of Allegiance	633
Mead, Dan	Leading council's meeting of July 27, 199 in the Pledge of Allegiance	1224
Miller, Audrey	Leading Council's meeting of September 7, 1999 in the Pledgee of Allegiance	1367
Miller, Nicole	Leading Council's meeting of June 15, 1999 in the Pledge of Allegiance	988
Moore, JD	Leading council's meeting of April 20, 1999 in the Pledge of Allegiance	633
O'Neil, James	Leading Council's meeting of June 15, 1999 in the Pledge of Allegiance	988
O'Neil, Valerie	Leading Council's meeting of June 15, 1999 in the Pledge of Allegiance	988

Pledgee

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Osterman, Jeffrey	Leading Council's meeting of January 19, 1999 in the Pledge of Allegiance	56
Osterman, Jordan	Leading Council's meeting of January 19, 1999 in the Pledge of Allegiance	56
Packler, Katie	Leading council's meeting of June 1, 1999 in the pledge of allegiance	918
Parrish, Dianna	Leading Council's meeting of July 20, 1999 in the Pledge of Allegiance	1178
Patil, Oona	Leading council's meeting of March 9, 1999 in the pledge of allegiance	378
Patton, Cotton	Leading council's meeting of April 27, 1999 in the Pledge of Allegiance	676
Praskovich, Mallory	Leading Council's meeting of May 11, 1999 in the Pledge of Allegiance	779
Prentiss, Bria	Leading Council's meeting of June 8, 1999 in the pledge of allegiance	957
Renkin, Kelsey	Leading Council's meeting of August 31, 1999 in the Pledge of Allegiance	1339
Romanello, Daniel	Leading Council's meeting of May 25, 1999 in the Pledgee of Allegiance	859
Rose, Timoty	Leading Council's Meeting of September 21, 1999	1474
Rosenblum, Sara	Leading council's meeting of November 8, 1999 in the pledge of allegiance	1789
Seskey, Erica	Leading Council's meeting of August 31, 1999 in the Pledge of Allegiance	1339
Stano, Bobby	Leading council's meeting of April 13, 1999 in the Pledgee of Allegiance	590

Pledgee

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Stano, Nick	Leading council's meeting of April 13, 1999 in the Pledgee of Allegiance	590
Stoller, Stacy	Leading Council's meeting of January 26, 1999 in the Pledge of Allegiance	75
Sywyj, Andy	Leading council's meeting of July 27, 199 in the Pledge of Allegiance	1224
Waligorski, Michael	Leading Council's meeting of December 7, 1999 in the Pledge of Allegiance	1945
Wallace, Kadirra	Leading council's meeting of February 23, 1999 in the pledge of allegiance	278
Wallace, Tanis	Leading Council's meeting of May 17, 1999 in the Pledge of Allegiance	840
Welsh-Spath, Jerry	Leading council's meeting of July 27, 199 in the Pledge of Allegiance	1224
Witkowski, Drew	Leading Council in the pledge of allegiance on October 19, 1999	1661
Witkowski, Kayla	Leading Council in the pledge of allegiance on October 19, 1999	1661
Zupanek, Anthony	Leading Council's meeting of March 23, 1999 in the Pledge of Allegiance	461

Re-Appointment

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2149	Bellisario, Richard	Reappointment as a member of the Mayor's Business and Employment Opportunity term to expire April 30, 2000	1609, 1675
2148	Cook, Yvonne	Reappointment as a Member of the Mayor's Committee on Business and Employment Opportunity term to expire April 30, 2000	1609, 1675

Re-Appointment

<i>BILL</i>			
<i>NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2152	Herring, James R.	Reappointment as a Member of the Mayor's Committee on Business and Employment Opportunity term to expire February 28, 2003	1609, 1675
2151	Kander, Gregg M.	Reappointment as a Member of the Mayor's Committee on Business and Employment Opportunity term to expire April 30, 2000	1609, 1675
1806	McClenahan, Rober	Authorizing the re-appointment of Robert McClenahan as a member of the Human Relations Commission, term to expire April 1, 2003	1134, 1289
1271	McLaughlin, Irene	Authorizing the reappointment to the City of Pittsburgh Magistrate Court term to expire January 31, 2003	270
1270	Simmons, William	Authorizing the reappointment to the City of Pittsburgh Magistrate Court, term to expire January 31, 2003	270
2150	Washington, Sheila	Reappointment as a Member of the Mayor's Committee on Business and Employment Opportunity term to expire April 30, 2000	1609, 1675
1805	Williams, Christine	Authorizing the re-appointment of Robert McClenahan as a member of the Human Relations Commission, term to expire April 1, 2003	1134, 1289

Read and Adopted

<i>BILL</i>			
<i>NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1502	All Member	Declaring April 21, 1999 as Citiparks SeniorInterest Volunteer Day	634
1742	All Member	Declaring June 21 - June 28, 1999 as "Deaf Blind Awareness Week in the City of Pittsburgh	1036

Read and Adopted

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
	All Members	Declaring April 1999, "Child Abuse Prevention Month" in the City of Pittsburgh	506
	All Members	Proclaiming January 25 - 31, 1999 as Community Champions Jefferson Awards Week in the City of Pittsburgh	76
1147	All Members	Declaring the month of January, hereafter to be Spirit of King month in the City of Pittsburgh	59
1247	All Members	Declaring February 20, 1999 as Diversity Awareness Week in the City of Pittsburgh	237
1248	All Members	Declaring February 12, 1999 "Gene Adams Day" in the City of Pittsburgh	238
1249	All Members	Congratulating Yeshiva Schools of Pittsburgh on their continuing dedication to education and hereby declares Sunday, February 21, 1999, "Sefer HaMitzvos Day" in the City of Pittsburgh	239
1275	All Members	Recognizing and commending Sunni Ali Herndon for his determination and commitment to succeed	284
1479	All Members	declaring April 19-25, 1999 as "Sexual Assault Awareness Week" in the City of Pittsburgh	595
1480	All Members	Declaring April 27, 1999 as "Literacy Day" in the City of Pittsburgh	598
1535	All Members	Declaring April 27, 1999 as "PACE Day" in the City of Pittsburgh	679
1773	All Members	Declaring June 1999 as "Sister Cities Month" in the City of Pittsburgh	1062

Read and Adopted

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1979	All Members	Declaring Tuesday, September 7, 1999, "Canice Kennedy Day" in the City of Pittsburgh	1370
2041	All Members	Commending and thanking President Bob O'Connor for his dedicated years of services to our community	1476
2072	All Members	Commending and thanking Jeff Markel for his dedicated years of service to our community and to Israel	1475
1123	Cohen, Dan	Commending and thanking Shadyside Concerts for 18 years of providing Pittsburgh's with the opportunity to hear performances by the City's finest musician in a unique local setting	27
1146	Cohen, Dan	Commending the Central Blood Bank of Pittsburgh and proclaiming the month of January 1999 as Volunteer Blood Donor Month in the City of Pittsburgh	57
1245	Cohen, Dan	Commending the American Heart Association and proclaims Saturday, February 22, 1999 as "Race to No Place Day" in the City	225
1272	Cohen, Dan	Commending and congratulating Judge Robert E. Dauer for this bold leadership and visionary approach during his tenure on the bench of the Allegheny County Court of Common Pleas	279
1414	Cohen, Dan	Proclaiming April 7, 1999 "Pittsburgh AIDS Task Force Day"	464
1481	Cohen, Dan	Commending and Thanking Janice Friedman for her dedicated years of service to our community	600

Read and Adopted

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1482	Cohen, Dan	Commending and thanking Bernard Marcus and Daniel Shapira for their dedicated years of service to our community and to Israel	600
1534	Cohen, Dan	Recognizing the Bloomfield Business District as Pittsburgh's Own "Little Italy"	677
1595	Cohen, Dan	Declaring the Month of May "Become A United States Citizen month in the City of Pittsburgh	785
1596	Cohen, Dan	Declaring the Month of May "Disability Awareness Month" and the week of May 17-21 1999 "National Barrier Awareness Month in the City of Pittsburgh	782
1715	Cohen, Dan	Commending Pittsburgh Penguins on their thirty-two years of proudly playing hockey in the City of Pittsburgh	989
1743	Cohen, Dan	Commending and thanking Nancy and Richard Simon for their dedicated years of service to our community and to Israel	1037
1915	Cohen, Dan	Congratulating Chatham College and its President ester Barazone for establishing the College's Global Focus Program and convening the Year of South Asia	1344
2041	Cohen, Dan	Commending and thanking President Bob O'Connor for his dedicated years of services to our community	1476
2042	Cohen, Dan	Declaring Tuesday, September 21, 1999 at "Dr. Norman Cohen Day" in the City of Pittsburgh	1478

Read and Adopted

<i>BILL</i>			
<i>NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2043	Cohen, Dan	Declaring, September 22, 1999 to be "Carol and Brian Balk Day in the City of Pittsburgh	1479
2049	Cohen, Dan	Declaring Wednesday, September 15, 1999 "Frieda Shapira Day in the City of Pittsburgh	1486
2072	Cohen, Dan	Commending and thanking Jeff Markel for his dedicated years of service to our community and to Israel	1475
2157	Cohen, Dan	Thanking Frank Cahouet for his dedicated years of service to our community	1618
2178	Cohen, Dan	Commending and congratulating the Friendship community on its beautiful new playground and thanks all involved in this successful collaborative project	1662
2230	Cohen, Dan	Commending WDUQ 90.5 FM on their 50th Anniversary and proclaims December 15, 199 as WDUQ Day in the City of Pittsburgh	1946
2241	Cohen, Dan	Commending Dr. Dennis J. Hurwitz and the UPMC Health System for their commitment to Israel Bonds and the City of Pittsburgh	1803
	Diven, Michael	Declaring March 26-28, 1999 at National High School Wrestling Championship Weekend in the City of Pittsburgh	506

<i>BILL</i>		Read and Adopted	
<i>NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1221	Diven, Michael	Recognizing Zone 3 Commander Douglas Johnson, Lt. Dan Quinlan and Sgt. Jim Retsch and Crime Prevention Officer Dan McQuilan for organizing a blood drive to be held at the Zone 3 Police Station located 1725 Mary Street on the South Side	189
1246	Diven, Michael	Declaring May 8, 1999, P.A.C.T. Day in the City of Pittsburgh	229
1413	Diven, Michael	Declaring March 30, 1999 as Women's Center and Shelter of Greater Pittsburgh Day	452
1478	Diven, Michael	Declaring, April 13, 1999, Pasqualena Mitchell Day" in the City of Pittsburgh	591
1504	Diven, Michael	Proclaiming April 18 - 24, 1999 as "Week of the Young Child" in the City of Pittsburgh	638
1572	Diven, Michael	Commending the Pittsburgh Police Department, Pittsburgh Fire Bureau, Pittsburgh EMS Bureau, University of Pittsburgh Police, City of Pittsburgh School Police, Housing authority, City of Pittsburgh Finance Department, Department of Engineering & Construction, Mayor's Office and City Council for making Holiday Project 98 a success	727
1628	Diven, Michael	Declaring May 17-21, 1999 as Emergency Medical Services Week in the City of Pittsburgh	841
1716	Diven, Michael	Proclaiming June 19, 1999 as Lesbian, Gay, Bisexual and Transfendered Pride Day in the City of Pittsburgh	990

Read and Adopted

<i>BILL</i>			
<i>NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1837	Diven, Michael	Congratulating Schenley High School Seniors Pete Finelli and Tanisha Jones and Students from John A. Brashear High School Sophomores Marcus Delras and Jillian Radley, coach by teacher Nathan W. Geller for the National Barbara Jordan Youth Debate on Health	1179
1838	Diven, Michael	Declaring July 20, 1999 as "Pittsburgh Junior Citizens Police Academy Day in the City of Pittsburgh	1181
1887	Diven, Michael	Declaring Tuesday, July 27, 1999 Brookline Boxing Club Day in the City of Pittsburgh	1229
2073	Diven, Michael	Declaring October 3 - 9, 1999 to be "Fire Prevention Week" in the City of Pittsburgh	1519
2074	Diven, Michael	Commending Bell-Atlantic for it's involvement wit the Bureau of Fire and the Mercy Foundation and thanking them for their assistance in educating the citizens of Pittsburgh	1519
2075	Diven, Michael	Commending the Mercy Foundation for it's invaluable assistance to the City of Pittsburgh's Bureau of Fire	1520
2081	Diven, Michael	Declaring September 24, 1999 "Carrick High School Day" in the City of Pittsburgh	1534
2108	Diven, Michael	Declaring October 5, 1999 as "Pittsburgh Police Bureau Volunteer Day" in the City of Pittsburgh	1567

Read and Adopted

<i>BILL</i>			
<i>NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2179	Diven, Michael	Declaring October 19, 1999 as "Mon Moy Alliance Day" in the City of Pittsburgh	1665
2217	Diven, Michael	Leading council's meeting of November 1, 1999 in the pledge of allegiance	1763
2312	Diven, Michael	Declaring December 6 - 13, 1999 to be "Project Blue Light week" in the City of Pittsburgh	1909
2349	Diven, Michael	Declaring December 17, 1999 to be Pittsburgh Police Retirees Day in the City of Pittsburgh	1984
2366	Diven, Michael	Thanking William Feineigle for his service to the citizens of the City of Pittsburgh and particularly to the residents of the Brookline Neighborhood	2002
2367	Diven, Michael	Thanking Mary Anne Miller for her volunteer service to the citizens of the City of Pittsburgh and particularly to the residents of the Brookline Neighborhood	2002
2372	Diven, Michael	Commending the Staff, Coaches, parents and athletes who participate in the Flag Football Program in Arlington, Bloomfield, Brookline, Cowley, Hill House, market House, Northview Heights, Ormsby and Warrington	2031
	Ferlo, Jim	Proclaiming January 25 - 31, 1999 as Community Champions Jefferson Awards Week in the City of Pittsburgh	76
1167	Ferlo, Jim	Declaring January 28, 1998 as "Rafael Noriega Day in the City of Pittsburgh	85

Read and Adopted

<i>BILL</i>			
<i>NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1392	Ferlo, Jim	Declaring March 18, 1999 to be Absolutely Incredible Kid Day in the City of Pittsburgh	421
1437	Ferlo, Jim	Declaring the Pittsburgh Civic Garden Center a civic and/or service organization within the context of the Local Options Small Games of Chance Act	504
1465	Ferlo, Jim	Declaring April 9, 1999 as Cathy Frasca Day in the City of Pittsburgh	560
1534	Ferlo, Jim	Recognizing the Bloomfield Business District as Pittsburgh's Own "Little Italy"	676
1597	Ferlo, Jim	Recognizing Myrna Antonio-Hall for organizing the 1999 Arbor Day Poster Contest	788
1599	Ferlo, Jim	Proclaiming the Summer of 1999 to be Safe Bike Summer in the City of Pittsburgh	794
1651	Ferlo, Jim	Supporting the May 30, 1999 rally regarding the federal budget that has not increased funding for the Veterans Affairs health care system	860
1678	Ferlo, Jim	Extending special tanks to Worshipful Master Nicholas F. DelCimmuto and the officers and members of East Liberty Lodge #725	921
1694	Ferlo, Jim	Proclaiming June 8, 1999 as "Talise Manuel Day in the City of Pittsburgh	959
1716	Ferlo, Jim	Proclaiming June 19, 1999 as Lesbian, Gay, Bisexual and Transfendered Pride Day in the City of Pittsburgh	990

Read and Adopted

<i>BILL</i>			
<i>NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1739	Ferlo, Jim	Urging all Member of the United States House of Representatives to vote No on HR 10 unless it ultimately strengthens, not dilutes, the Community Reinvestment Act	1027
1903	Ferlo, Jim	Declaring August 7, 2000 as Pittsburgh Pirates Polish Festival Night	1287
2016	Ferlo, Jim	Imploring interested parties to show their support for our veterans by contacting their congressmen and senators and voicing their opinion on this important issue that touches the lives of us all	1412
2017	Ferlo, Jim	Proclaiming September 28, 1999 to be Veterans of Foreign Wars of the US Day in the City of Pittsburgh	1417
2076	Ferlo, Jim	Proclaiming the week of September 27, 1999 to October 3, 1999 to be "Welcome Home Pittsburgh Symphony Orchestra Week" in the City of Pittsburgh	1525
2257	Ferlo, Jim	Declaring November 16, 1999 as National Philanthropy Day in the City of Pittsburgh	1824
2258	Ferlo, Jim	Lending support to the Anit-Scofflwa regulation and encourages Pennsylvania Congressional members to support the successful passage of this important and meaningful legislation	1826
2309	Ferlo, Jim	Presenting County-Councilman Elect Tom Foerster and Tasso Katselas with the Award of Outstanding Chievement for their remarkable work on the Greater Pittsburgh International Airport	1900

Read and Adopted

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1695	Ferloli, Jim	Commending all the entrants in the 1999 District 7 Memorial Day East Contest	962
	Hertzberg, Alan	Congratulating Paul Spadafora on his outstanding record, hard work and dedication and wishes him continued success in future events and is proud to call	
1120	Hertzberg, Alan	Proclaiming January 1999 as Financial Literacy for Youth Month in the City of Pittsburgh	2
1223	Hertzberg, Alan	Congratulating Frank Schnelbach on his recent achievement in receiving the Eagle Scout Award on January 11, 1999	190
1273	Hertzberg, Alan	Commending the Kings & Queens of Africa and congratulates all of the recipients of the Sprit of Life Awards	280
1418	Hertzberg, Alan	Commending Mrs. Evelyn Neiser for her service to the Oliver High School community	469
1468	Hertzberg, Alan	Declaring April 9, 1999 ad Professor W. Edward Sell Day in the City of Pittsburgh	566
1483	Hertzberg, Alan	Thanking thee Kings Knowthole of the Sheraden Baseball Association	601
1601	Hertzberg, Alan	Declaring May 16, 1999 as Lou Bucci Day in the City of Pittsburgh	798
1629	Hertzberg, Alan	Declaring May 22, 1999 West End Park Clean-up Day in the City of Pittsburgh	843
1652	Hertzberg, Alan	Commending Baskets for Babies for assisting young mothers and infants in the Pittsburgh Area	864

Read and Adopted

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1654	Hertzberg, Alan	Recommending the proposed West Lake elderly housing project to the URA for approval as a 202 HUD Elderly Housing Project	868
1679	Hertzberg, Alan	Proclaiming June 10-13, 1999 "99 Toyota Mario Lemieux Celebrity Invitational Days" in the City of Pittsburgh	926
1696	Hertzberg, Alan	Congratulating James Lucas on his recent achievement and commends him for his outstanding accomplishments in receiving the Eagle Scout Awards on June 11, 1999	966
1716	Hertzberg, Alan	Proclaiming June 19, 1999 as Lesbian, Gay, Bisexual and Transfendered Pride Day in the City of Pittsburgh	990
1772	Hertzberg, Alan	Declaring July 4, 1999 "Chatham Village Day" in the City of Pittsburgh	1060
1774	Hertzberg, Alan	Declaring June 29, 1999 as "Tom Jones Day" in the City of Pittsburgh	1064
1812	Hertzberg, Alan	Congratulating the Catholic High School Girls Softball Team, known as the Crusaders	1140
1839	Hertzberg, Alan	Proclaiming July 24, 1999 as Walk-N-Roll For accessible Pittsburgh Day	1185
1912	Hertzberg, Alan	Declaring Saturday, August 14, 1999 "Dolfi Family Day" in the City of Pittsburgh	1342

Read and Adopted

BILL NUMBER	SPEAKER	SUBJECT	PAGE
1913	Hertzberg, Alan	Congratulating Joel Ziolkowski on his recent achievement and commending him for his outstanding accomplishment in receiving the Eagle Scout Award on August 23, 1999	1343
2019	Hertzberg, Alan	Declaring September 16, 1999 PAWS JAM 99 Day in the City of Pittsburgh	1421
2047	Hertzberg, Alan	Congratulating the West End Branch of the Carnegie Library on its 100 years of service to the community and declaring Saturday September 18, 1999 "West End Library Day" in the City of Pittsburgh	1484
2082	Hertzberg, Alan	Commending the West End-Elliott citizens Patrol	1534
2083	Hertzberg, Alan	Proclaiming, September 29, 1999 as "St. Michael's Day in the City of Pittsburgh	1534
2114	Hertzberg, Alan	Congratulating Mr. & Mrs. James Gould on their Golden Wedding Anniversary	1581
2158	Hertzberg, Alan	Congratulating Holy Innocents Parish on their 100 years as a Catholic Community	1618
2182	Hertzberg, Alan	Congratulating the West End Pulaski Society on its' 90th Anniversary and for its service to the Community	1673
2192	Hertzberg, Alan	Commending Richard Bruce, his traveling team and the many volunteers who have "Painted Their Hearts" out for over 14 years	1709

Read and Adopted

<i>BILL</i>			
<i>NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2238	Hertzberg, Alan	Congratulating LaVerne Yorkgitis on her 30 years of doing business in the West End Neighborhood of the City of Pittsburgh	1796
2242	Hertzberg, Alan	Declaring November 7, 1999 as Sophie Masloff Day in the City of Pittsburgh	1803
2329	Hertzberg, Alan	Declaring Mount Washington Community Development Corporation a Small Games of Chance	1942
2365	Hertzberg, Alan	Thanking Mr. Joseph J. Rodgers, Sr., for his many years of service and dedication to the residents of the City of Pittsburgh and the Sheraden Community	2002
2366	Hertzberg, Alan	Thanking William Feineigle for his service to the citizens of the City of Pittsburgh and particularly to the residents of the Brookline Neighborhood	2002
2367	Hertzberg, Alan	Thanking Mary Anne Miller for her volunteer service to the citizens of the City of Pittsburgh and particularly to the residents of the Brookline Neighborhood	2002
	McDonald, Valerie	Congratulating and commending Youthbuild Pittsburgh, Inc. for a job well done	80
	McDonald, Valerie	Recognizing and commending Angela Bonner for her outstanding academic and community achievements	298
	McDonald, Valerie	Recognizing and commending Aaron Johns for his outstanding community involvement	298

Read and Adopted

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
	McDonald, Valerie	Recognizing and commending Ashley Birt for her outstanding academic and community achievements	299
1146	McDonald, Valerie	Commending the Central Blood Bank of Pittsburgh and proclaiming the month of January 1999 as Volunteer Blood Donor Month in the City of Pittsburgh	57
1170	McDonald, Valerie	Declaring January 6, 19099 to be The World Premier of the Play, Eating Dirt, Day in the City of Pittsburgh	87
1223	McDonald, Valerie	Commending the Greater Pittsburgh Council, Boy Scouts of America	190
1273	McDonald, Valerie	Commending the Kings & Queens of Africa and congratulates all of the recipients of the Sprit of Life Awards	280
1274	McDonald, Valerie	Commending Elizabeth McCombs for being instrumental in opening the doors of knowledge to our youth through books	281
1275	McDonald, Valerie	Recognizing and commending Sunni Ali Herndon for his determination and commitment to succeed	284
1276	McDonald, Valerie	Recognizing and commending Daniel Miller, Jr. for having a vision and the desire to make it a reality	285
1277	McDonald, Valerie	Recognizing and commending Courtney Clark for her outstanding academic and community achievements	285

Read and Adopted

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1278	McDonald, Valerie	Recognizing and commending Erica Davis for her outstanding academic and community achievements	286
1279	McDonald, Valerie	Recognizing and commending Kadirra Wallace for her outstanding academic and community achievements	287
1280	McDonald, Valerie	Recognizing and commending Carmela Malloy for her academic and unselfish community involvement	287
1281	McDonald, Valerie	Recognizing and commending Jessica A. Thomas of her academic and community achievements	288
1281	McDonald, Valerie	Recognizing and commending Jessica A. Thomas for her academic and community achievement	288
1282	McDonald, Valerie	Recognizing and commending Rachel Howze for her heroic measures and assuring the safety of others	289
1283	McDonald, Valerie	Recognizing and commending Jamelle Tyler for his academic and unselfish community achievements	289
1284	McDonald, Valerie	Recognizing and commending Michelle Williams for her academic and community leadership	290
1285	McDonald, Valerie	Recognizing and commending Dominique Johnson for her outstanding community involvement	290
1286	McDonald, Valerie	Recognizing and commending Melvin Brently for his outstanding academic and community involvement	290

Read and Adopted

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1287	McDonald, Valerie	Recognizing and commending Tariq Walker for this unselfish commitment to the community in which he lives	291
1288	McDonald, Valerie	Recognizing and commending William Scaine for his high academic achievements	292
1289	McDonald, Valerie	Recognizing and commending Amber Peterson for her academic and unselfish community achievements	293
1290	McDonald, Valerie	Recognizing and commending Anthony Minniefield for his academic and unselfish community achievements	293
1291	McDonald, Valerie	Recognizing and commending Mandela Schumacher-Hodge for her academic and unselfish community achievements	294
1292	McDonald, Valerie	Recognizing and commending Brian Grigsby for his academic and community achievements	295
1293	McDonald, Valerie	Recognizing and commending Marlana Meyers for her outstanding academic and community achievements	295
1294	McDonald, Valerie	Recognizing and commending Fatimah Madyun for her outstanding academic and community involvement	295
1295	McDonald, Valerie	Recognizing and commending Brittany Hartwell for her academic and unselfish community achievements	296

Read and Adopted

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1296	McDonald, Valerie	Recognizing and commending Rebekah Herbert for the positive image she portrays to others and for her outstanding community involvement	298
1297	McDonald, Valerie	Recognizing and commending Jerome White, Jr. for his academic achievements	297
1298	McDonald, Valerie	Recognizing and commending Aaron Johns for his outstanding community involvement	298
1345	McDonald, Valerie	Commending the honorees for 1999 Black Trailblazers and KDKA Lift Up Awards	331
1416	McDonald, Valerie	Commending Mr. Grover Mitchell for his commitment and desire to educate our youth on the jazz of yesterday	468
1417	McDonald, Valerie	Honoring Louis "HOP" Kendrick for a lifetime of service to his family, his church, politics, his county and the Pittsburgh community	469
1469	McDonald, Valerie	Commending the Pennsylvania Bar Association Minority Attorneys Conference	566
1470	McDonald, Valerie	Commending the Homewood Branch of Carnegie Libraries	567
1503	McDonald, Valerie	Congratulating the Freedom Corner Committee on this historic groundbreaking event	636
1506	McDonald, Valerie	Commending Best Friends of Pittsburgh for caring and sharing love and self-respect to young girls at an impressionable age so they may grown into beautiful self-respecting women	642

Read and Adopted

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1507	McDonald, Valerie	Commending the Pittsburgh Job Corps Center Community Relations Council for their efforts to educate and communicate with the youth of today	643
1508	McDonald, Valerie	Recognizing and commending the Pittsburgh Chool for the Creative and Performing Arts, CAPA for their continuous efforts in educating the public on the importance of the Arts	643
1573	McDonald, Valerie	Recognizing and commending Black Women and Health Outreach for longer Life and Empowerment (BWHOLE)	729
1631	McDonald, Valerie	Commending the Women of St. James A.M.E. church	845
1631	McDonald, Valerie	Honoring Dr. Jerome Taylor for the may ways in which he has help to make Pittsburgh the "Village" it takes to raise a child	845
1632	McDonald, Valerie	Declaring May 15, 1999 as "UMO Jazz Orchestra Day in the City of Pittsburgh	846
1633	McDonald, Valerie	Commending the National Black MBA Association, Incorporation, Pittsburgh Chapter for their outstanding community involvement and for giving our youth a brighter tomorrow	847
1697	McDonald, Valerie	Declaring the weekend of May 28, 1999 - May 20, 1999 as "Pittsburgh Believers Convention" weekend in the City of Pittsburgh	966

Read and Adopted

<i>BILL</i>			
<i>NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1698	McDonald, Valerie	Commending Mt. Ararat Community Activity Center for educating and servicing the entire community. The Council also recognizes and commends Dr. Lottie P. Edward for 9 years of dedication to Mt. Ararat Community Activity Center	967
1716	McDonald, Valerie	Proclaiming June 19, 1999 as Lesbian, Gay, Bisexual and Transfendered Pride Day in the City of Pittsburgh	990
1775	McDonald, Valerie	Congratulating and commending the Negro Educational Emergency Drive for expanding their programs to insure each young Black American a chance to further their education	1064
1776	McDonald, Valerie	Recognizing and commending Mrs. Inez Edith Barnes Hurst on her 100th Birthday	1065
1841	McDonald, Valerie	Commending the Community Fitness Center favor continuing and expanding a fitness program that will enrich the lives of our youth	1189
1842	McDonald, Valerie	Declaring July 21 through July 25, 1999, "universal Circus Days" in the City of Pittsburgh	1191
1886	McDonald, Valerie	Declaring July 27, 1999 as "Keith Lawrence and Ron Tarpley Day in the City of Pittsburgh	1225
1904	McDonald, Valerie	Commending Saint James A.M.E. Church for its many programs, both secular and community	1288

Read and Adopted

<i>BILL</i>			
<i>NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2044	McDonald, Valerie	Commending master Eddie Rose for achieving the highest height in Martial Arts and for sharing his knowledge and abilities with the youth in the City of Pittsburgh	1480
2077	McDonald, Valerie	Recognizing and commending Dr. Frances J. Barnes "the love lady" for her strong commitment and values on the Black Family	1527
2109	McDonald, Valerie	Commending Earl V. Jones, Sr., for his commitment and dedication to "Peace on Earth" hoping to change the world by example	1568
2159	McDonald, Valerie	Commending the Ladies of Ebenezer Baptist Church on their Annual Women's Day Program	1619
2181	McDonald, Valerie	Saluting a musical genius, Mr. Billy Strayhorn and honoring a musical legend, Mr. Duke Ellington with the production of Sophisticated Ladies	1671
2193	McDonald, Valerie	Declaring October 17-23, 1999 as "Business Women's Week" in the City of Pittsburgh	1711
2218	McDonald, Valerie	Commending the NAACP State Convention for taking a leadership role in preparing our youth and our seniors for the new millennium	1764
2239	McDonald, Valerie	Declaring November 13, 1999 as "African-American Heart Disease & Stroke Awareness Day"	1797
2288	McDonald, Valerie	Declaring November 22, 1999 as "The Corporate Collection Day in the City of Pittsburgh "gently worn" clothes drive	1875

Read and Adopted

<i>BILL</i>			
<i>NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2290	McDonald, Valerie	Wishing Mr. Eugene Lesesne a "Happy 102nd Birthday and declares November 22, 1999 his day in the City of Pittsburgh	1880
	O'Connor, Bob	Declaring April 1999, "Child Abuse Prevention Month" in the City of Pittsburgh	506
	O'Connor, Bob	Declaring January 24 - 30th as "Catholic Schools Week in the City of Pittsburgh	82
	O'Connor, Bob	Declaring January 24, 2000 as Catholic Schools Week in the City of Pittsburgh	82
1166	O'Connor, Bob	Declaring January 24 - 30, 1999 as Catholic Schools Week in the City of Pittsburgh	82
1169	O'Connor, Bob	Declaring January 17, 1999 as "Yeshiva Schools Day in the City of Pittsburgh	86
1246	O'Connor, Bob	Declaring May 8, 1999, P.A.C.T. Day in the City of Pittsburgh	229
1248	O'Connor, Bob	Declaring February 12, 1999 "Gene Adams Day" in the City of Pittsburgh	238
1249	O'Connor, Bob	Congratulating Yeshiva Schools of Pittsburgh on their continuing dedication to education and hereby declares Sunday, February 21, 1999, "Sefer HaMitzvos Day" in the City of Pittsburgh	239
1298	O'Connor, Bob	Declaring March 1, 1999 as "Pennsylvania Black Conference On Higher Education Week" in the City of Pittsburgh	300
1348	O'Connor, Bob	Declaring, Tuesday, March 2, 1999 "Read Cross Month" in the City of Pittsburgh	336

<i>BILL</i>		Read and Adopted	
<i>NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1349	O'Connor, Bob	Declaring Monday, March 8, 1999, Christopher Meili Day in the City of Pittsburgh	337
1370	O'Connor, Bob	Declaring March 13 - March 20 to be "St. Patrick's Week"	379
1415	O'Connor, Bob	Declaring March 23, 1999 as "American Diabetes Alert Day" in the City of Pittsburgh	466
1466	O'Connor, Bob	Declaring April 6, 1999 as "St. Barnabas Day" in the City of Pittsburgh	562
1467	O'Connor, Bob	Declaring April 6, 1999 as Tartan Day in the City of Pittsburgh	564
1479	O'Connor, Bob	declaring April 19-25, 1999 as "Sexual Assault Awareness Week" in the City of Pittsburgh	595
1480	O'Connor, Bob	Declaring April 27, 1999 as "Literacy Day" in the City of Pittsburgh	598
1482	O'Connor, Bob	Commending and thanking Bernard Marcus and Daniel Shapira for their dedicated years of service to our community and to Israel	600
1505	O'Connor, Bob	Declaring April 20, 1999 as "Foreign Service Day" in the City of Pittsburgh	641
1510	O'Connor, Bob	Commending St. Francis Health System for their ongoing devotion to the community and declaring April 17, 1999 as "Courage to Come Back Day" in the City of Pittsburgh	644
1535	O'Connor, Bob	Declaring April 27, 1999 as "PACE Day" in the City of Pittsburgh	680

Read and Adopted

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1574	O'Connor, Bob	Declaring the week of May 2 through May 9, 1999 as Municipal Clerk Week	730
1594	O'Connor, Bob	Declaring May 11, 1999 "Let's Go Pens Day" in the City of Pittsburgh	781
1595	O'Connor, Bob	Declaring the Month of May "Become A United States Citizen month in the City of Pittsburgh	785
1600	O'Connor, Bob	Declaring May 1999 "WIC Month in the City of Pittsburgh	797
1602	O'Connor, Bob	Declaring May 16, 1999, "Evelyn Rosenberg Engelberg Day" in the City of Pittsburgh	799
1603	O'Connor, Bob	Declaring May 23, 1999, Julian Falk Day in the City of Pittsburgh	800
1653	O'Connor, Bob	Declaring May 25, 1999, "Bridge To the Future Day"	868
1677	O'Connor, Bob	Congratulating Yeshiva Schools on received the Blue Ribbon Award	919
1681	O'Connor, Bob	Declaring May 29, 1999 as Paul Gorman Day in the City of Pittsburgh	928
1693	O'Connor, Bob	Declaring June 11-13, 1999 as "Kung Fu Days" in the City of Pittsburgh	958
1742	O'Connor, Bob	Declaring June 21 - June 28, 1999 as "Deaf Blind Awareness Week in the City of Pittsburgh	1036
1773	O'Connor, Bob	Declaring June 1999 as "Sister Cities Month" in the City of Pittsburgh	1062
1809	O'Connor, Bob	Declaring July 6, 1999, "Kerotest Day" in the City of Pittsburgh	1087

Read and Adopted

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1810	O'Connor, Bob	Declaring July 1999, "Burdekin Shire Council-People to People Student Ambassador Program Month" in the City of Pittsburgh	1089
1838	O'Connor, Bob	Declaring July 20, 1999 as "Pittsburgh Junior Citizens Police Academy Day in the City of Pittsburgh	1180
1840	O'Connor, Bob	Declaring July 20, 1999 as "The Air National Guard's 171st Air Refueling Wing Welcome Home Day in the City of Pittsburgh	1187
1979	O'Connor, Bob	Declaring Tuesday, September 7, 1999, "Canice Kennedy Day" in the City of Pittsburgh	1370
1980	O'Connor, Bob	Declaring August 28, 1999, "USS Pittsburgh Day" in the City of Pittsburgh	1373
1981	O'Connor, Bob	Declaring September 6, 1999 as "The United Labor Day Parade Day in the City of Pittsburgh	1375
2018	O'Connor, Bob	Declaring August 17, 1999 "KDKA Day in the City of Pittsburgh	1420
2020	O'Connor, Bob	Declaring the week of September 18-25, 1999, "Financial Planning Week", in the City of Pittsburgh	1424
2042	O'Connor, Bob	Declaring Tuesday, September 21, 1999 at "Dr. Norman Cohen Day" in the City of Pittsburgh	1478
2048	O'Connor, Bob	Declaring September 15, 1999 "Rabbi Yisroel Rosenfield Day" in the City of Pittsburgh	1485
2084	O'Connor, Bob	Proclaiming September 23, 1999 at "Breast Cancer Awareness Month in the City of Pittsburgh	1535

Read and Adopted

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2111	O'Connor, Bob	Declaring October 8, 1999 as "Sons of Columbus Day" in the City of Pittsburgh	1575
2112	O'Connor, Bob	Declaring October 5, 1999 as "Greater Pittsburgh Convention & Visitors Bureau Day" in the City of Pittsburgh	1577
2113	O'Connor, Bob	Declaring October 5, 1999 as "Wuhan China Day" in the City of Pittsburgh	1579
2116	O'Connor, Bob	Declaring October 1, 1999 as "Sigma Chi Day" in the City of Pittsburgh	1582
2117	O'Connor, Bob	Declaring October 5, 1999 "Amir Pilch Day" in the City of Pittsburgh	1583
2118	O'Connor, Bob	Declaring September 28, 1999 "Dr. William Uricchio Day in the City Of Pittsburgh	1583
2119	O'Connor, Bob	Proclaiming September 29, 1999 as "Father Scott Seethaler Day" in the City of Pittsburgh	1584
2156	O'Connor, Bob	Proclaiming, October 12, 1999 as "Networking USA Day" in the City of Pittsburgh	1616
2180	O'Connor, Bob	Proclaiming October 23, 1999 as "Shoot For the Cure Day" in the City of Pittsburgh	1669
2194	O'Connor, Bob	Proclaiming October 26, 1999 as Dolly Campbell Day in the City of Pittsburgh	1712
2221	O'Connor, Bob	Proclaiming October 21, 1999 as "U.S. Women's National Soccer Team Day" in the City of Pittsburgh	1766
2222	O'Connor, Bob	Declaring October 31, 1999 as Andy Offerman Day in the City of Pittsburgh	1767

Read and Adopted

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2223	O'Connor, Bob	Declaring October 31, 1999 as Taylor Allderdice Distinguished Alumni Day" in the City of Pittsburgh	1768
2243	O'Connor, Bob	Declaring November 7, 199 to be Albert Silvio Day in the City of Pittsburgh	1804
2244	O'Connor, Bob	Declaring November 6, 1999 as "Joseph Welsh Day in the City of Pittsburgh	1805
2245	O'Connor, Bob	Declaring November 22, 1999 to be "Joseph Bojalad Day" in the City of Pittsburgh	1805
2246	O'Connor, Bob	Declaring November 7, 1999 as "Herb and Edythe Green Day" in the City of Pittsburgh	1806
2247	O'Connor, Bob	Declaring November 7, 1999 as "Hans Frankenthal Day" in the City of Pittsburgh	1806
2248	O'Connor, Bob	Declaring November 8, 1999 to be "Bishop Maurice Trent, Sr. Day" in the City of Pittsburgh	1807
2262	O'Connor, Bob	Declaring November 8, 1999 as "Bishop Maurice Trent, Sr. Day"	1833
2263	O'Connor, Bob	Declaring November 26, 1999 as "Dan Oshop Day" in the City of Pittsburgh	1834
2264	O'Connor, Bob	Declaring November 14, 1999 as "Jewish Hall of Fame of Western PA Day in the City of Pittsburgh	1836
2265	O'Connor, Bob	Declaring November 12, 1999 as "Mom's House Day" in the City of Pittsburgh	1836
2289	O'Connor, Bob	Declaring November 22, 1999 as "Eyetique Day" in the City of Pittsburgh	1875

Read and Adopted

<i>BILL</i>			
<i>NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2310	O'Connor, Bob	Declaring December 1, 1999 to be World AIDS Day" in the City of Pittsburgh	1906
2311	O'Connor, Bob	Declaring December 4, 1999 to be "Unity Day" within the City of Pittsburgh	1908
2331	O'Connor, Bob	Extending the U.S. Marine Corps Reserve and the Post Gazette Goodfellows program its best wishes and heartfelt appreciation for its service to our country	1947
1168	Onorato, Dan	Extending its gratitude and best wishes to Maggie Forbes and her departure from the Pittsburgh Children's Museum	86
1346	Onorato, Dan	Congratulating PCNC on its fifth anniversary and wishes them many more	334
1393	Onorato, Dan	Congratulating the Ukrainian Selfreliance of Western Pennsylvania Federal Credit Union for providing services to the community for the past 25 years	423
1418	Onorato, Dan	Commending Mrs. Evelyn Neiser for her service to the Oliver High School community	469
1538	Onorato, Dan	Congratulating the Pioneers Lodge 1 of the Croatian Fraternal Union on the Celebration of their 105th Anniversary and wishes them continued longevity in the future	685
1680	Onorato, Dan	Declaring May 29, 1999 as "Jim and Carol Funk" day in the City of Pittsburgh	927
1694	Onorato, Dan	Proclaiming June 8, 1999 as "Talise Manuel Day in the City of Pittsburgh	959

Read and Adopted

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1740	Onorato, Dan	Congratulating the 1999 Old Allegheny/Spring View 12 and under and 10 and Under Hockey Teams on an outstanding, exciting and exceptional championship season	1032
1811	Onorato, Dan	Welcoming the Watss-Truman-Lowe-Spann-Harris families to Pittsburgh	1088
1813	Onorato, Dan	Congratulating the Order Italian Sons and Daughters of America sponsoring the annual Triad Celebration of the Church, The Family and the Community	1142
2110	Onorato, Dan	Declaring October 9, 1999 "Columbus Day Parade and festival Day" in the City of Pittsburgh	1572
2115	Onorato, Dan	Congratulating the Officers and Reunion Committee Members as well as Carl Monteleone and a Happy 50th Reunion to the 1949 class of Oliver High School	1582
2155	Onorato, Dan	Proclaiming October 16, 1999 as "Joel Benning" day in the City of Pittsburgh	1614
2219	Onorato, Dan	Recognizing and commending Kenneth James Kaloz for his achievement of Eagle Scout	1765
2372	Onorato, Dan	Commending the Staff, Coaches, parents and athletes who participate in the Flag Football Program in Arlington, Bloomfield, Brookline, Cowley, Hill House, market House, Northview Heights, Ormsby and Warrington	2031

Read and Adopted

<i>BILL</i>			
<i>NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1221	Ricciardi, Gene	Recognizing Zone 3 Commander Douglas Johnson, Lt. Dan Quinlan and Sgt. Jim Retsch and Crime Prevention Officer Dan McQuilan for organizing a blood drive to be held at the Zone 3 Police Station located 1725 Mary Street on the South Side	189
1347	Ricciardi, Gene	Declaring, March 3, 1999 as Daniel A. Goetz Day in the City of Pittsburgh	334
1502	Ricciardi, Gene	Declaring April 21, 1999 as Citiparks SeniorInterest Volunteer Day	634
1536	Ricciardi, Gene	Declaring April 27, 1999 as WYEP Day throughout the City of Pittsburgh	682
1537	Ricciardi, Gene	Declaring April 27, 1999 as "Acorns and Oak trees Day" in the City of Pittsburgh	684
1598	Ricciardi, Gene	Declaring May 11, 1999 as SeniorInterests Day in the City of Pittsburgh	790
1716	Ricciardi, Gene	Proclaiming June 19, 1999 as Lesbian, Gay, Bisexual and Transfendered Pride Day in the City of Pittsburgh	990
1717	Ricciardi, Gene	Declaring June 17, 1999, Matthew McCasky Day in the City of Pittsburgh	992
1718	Ricciardi, Gene	Declaring June 15, 1999 Opportunity Through Baseball Day in the City of Pittsburgh	993
1887	Ricciardi, Gene	Declaring Tuesday, July 27, 1999 Brookline Boxing Club Day in the City of Pittsburgh	1229

Read and Adopted

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1911	Ricciardi, Gene	Congratulating the 1999 South Side Athletic Association Girl's Softball Team	1341
1914	Ricciardi, Gene	Declaring August 31, 1999 Tony Accamando Day in the City of Pittsburgh	1343
1978	Ricciardi, Gene	Commending the International Brotherhood of Electrical Workers Local #5 and Sargent Electric for their efforts and accomplishments in the spirit of being community oriented neighbors	1368
1978	Ricciardi, Gene	Commending the International Brotherhood of Electrical Workers Local #5 and Sargent Electric for the efforts and accomplishments in the spirit of being community oriented neighbors	1368
2046	Ricciardi, Gene	Declaring September 24, 1999 as Frick Woods Day in the City of Pittsburgh	1483
2078	Ricciardi, Gene	Resolving that Tuesday, September 28, 1999 be known as SeniorInterests Day in the City of Pittsburgh	1528
2220	Ricciardi, Gene	Declaring November 1, 1999 as Tom Jones Day in the City of Pittsburgh	1765
2259	Ricciardi, Gene	Commending the Felician Sisters during the 125th Anniversary of their Presence in North America	1828
2260	Ricciardi, Gene	Supporting the City of Pittsburgh Department of Parks and Recreation	1830
2287	Ricciardi, Gene	Commending 199 Erin Dougherty Bench Press Completion and Benefit Committee	1871

Read and Adopted

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2332	Ricciardi, Gene	Declaring December 5, 1999 as Joseph D'Andrea Day in the City of Pittsburgh	1950
	Udin, Sala	Recognizing April as "Parkinson's Awareness Month in the City of Pittsburgh	508
1147	Udin, Sala	Declaring the month of January, hereafter to be Spirit of King month in the City of Pittsburgh	59
1247	Udin, Sala	Declaring February 20, 1999 as Diversity Awareness Week in the City of Pittsburgh	237
1273	Udin, Sala	Commending the Kings & Queens of Africa and congratulates all of the recipients of the Sprit of Life Awards	280
1371	Udin, Sala	Honoring Mr. Oliver Randall Montgomery, Sr. for his outstanding achievements, hard work and dedication	382
1417	Udin, Sala	Honoring Louis "HOP" Kendrick for a lifetime of service to his family, his church, politics, his county and the Pittsburgh community	469
1484	Udin, Sala	Honoring Judge Doris Smith for her outstanding achievements	602
1503	Udin, Sala	Congratulating the Freedom Corner Committee on this historic groundbreaking event	636
1509	Udin, Sala	Commending the Pittsburgh Cancer Institute for its outreach and community efforts in educating the Minority Communities	644

Read and Adopted

<i>BILL</i>			
<i>NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1630	Udin, Sala	Honoring Dr. Jerome Taylor for the many ways in which he has help to make Pittsburgh the "Village" it takes to raise a child	845
1694	Udin, Sala	Proclaiming June 8, 1999 as "Talise Manuel Day in the City of Pittsburgh	959
1716	Udin, Sala	Proclaiming June 19, 1999 as Lesbian, Gay, Bisexual and Transfendered Pride Day in the City of Pittsburgh	990
1741	Udin, Sala	Commending Sharon Wade, Alber Boxley, Diane Gatson, Jerome Wasek, Rizieri Valles, Jeffrey Trunick, & Anthony Novak for the diligent and immediate response to a near fatal tragedy involving Kenya Johnson	1034
1814	Udin, Sala	Acknowledging the valued contributes of talent, generosity and leadership represented by the Frogs Club of Pittsburgh and congratulates them on the anniversary occasion	1145
2021	Udin, Sala	Congratulates the Harty Bible School Class of 1941 on this year of Jubilee Celebration	1425
2045	Udin, Sala	Proclaiming September 21, 1999, Green Neighborhood Development day as established by The Pittsburgh Project PHAS, Equitable Gas , the Western Conservancy, The Pittsburgh History and Landmarks Foundation, and Conservation Consultants, Inc.	1482

Read and Adopted

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2079	Udin, Sala	Commending the Minority Enterprise Corporation of Western Pennsylvania for sponsoring this worthy conference and further commending them for their tireless efforts to advance the entrepreneurial efforts of minorities	1531
2080	Udin, Sala	Congratulating Bishop and Mrs. Eugene M. Thorpe, officers and congregation for 31 years of service in Pittsburgh and wish them continued success in providing Ministry to the heart of the Northside and beyond, as "God's Minsitering Gifts	1532
2261	Udin, Sala	Joining the Department of African Studies in honoring Professor Dennis Brutus for the many ways in which he has helped to ensure justice for all humanity	1831

Residential Parking Permit

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1235	Implementation of a Residential Parking Permit Program in the Mt. Washington RPPP Area "N" so as to change the parking management plan which provides for he hours of enforcement to be from 7:00 a.m. - 7:00 p.m. Monday - Saturday for the north side of Grandview Avenue to be from 6 P.M. to 2 A.M. Monday through Sunday	192, 308
1779	Implementation of Residential Parking Permit Program Area "O" in the Homewood South/North Point Breeze area (Council District 0) pursuant to Pittsburgh Code Chapter 549	1069, 1162

Residential Parking Permit		
BILL NUMBER	SUBJECT	PAGE
2058	Implementation of a Residential Parking Permit Program in the Oakland community pursuant to Pittsburgh Code, Chapter 549" so as to limit the number of consecutive weekdays a visitors' pass can be used in Area "D"	1489, 1603
2302	Implementation of a Residential Parking Permit Program in the East Allegheny Community Pursuant to Pittsburgh Code, Chapter 549, so a s to increase the days of enforcement and limit the number of consecutive weekdays a visitors' pass can be used in Area "F"	1886, 1959
2334	Amending Resolution 637/1984, providing for the implementation of a Residential Parking Permit Program in the Oakland community pursuant to Pittsburgh code Chapter 549, so as to limit the number of consecutive weekdays a visitors' pass can be used in Area "E"	1955, 2024
2335	Amending Resolution 6737/1986, providing for the implementation of a Residential Parking Permit Program in the Allegheny West community pursuant to Pittsburgh Code, Chapter 549, so as to limit the number of consecutive weekdays a visitors' pass can be used in Area "G"	1955

Sale of Property

<i>BILL</i>		<i>Sale of Property</i>	
<i>NUMBER</i>		<i>SUBJECT</i>	<i>PAGE</i>
1137		Authorizing the sale of City owned property in the 25th Ward, 401 Catoma Street, designated as Block 23G, Lot 366 (part), to Peter L. Hervoyavich and Kathleen Hervoyavich, his wife, for the sum of \$100.00	30, 91
1665		Authorizing the Sale of City owned property on Weitz Way, 27th Ward, Block 115-E, Lot 40 to Riat Lorraine Borgese, for the sum of \$100.00	878, 938
1666		Authorizing the Sale of City owned property on Weitz Way, 27th Ward, Block 115-E, Lot 40 to Armond Borgese	878, 938
2339		"Second Class City Treasurer Sale and Collection Act, having been placed for sale to adjoining property owners in conjunctions with the City of Pittsburgh/City Source Associates Sideyard Program	2005
1052	Addition	Providing for the addition of the property located at 920 Ft. Duquesne Boulevard, Block and Lot No. 009-N-245 in the Second Ward, to the existing Penn-Liberty Historic District, under section 513 of Chapter 1007 of the Code of Ordinances	266
2206	Amending	Sale of property located at 597-7595-7593 and 7589 Kelly Street, 13th Ward, to Holy Cross Neighborhood Development, Inc. for the sum of \$2,500.00	1719, 1813
1139	Conveyance	Second Class City Treasurer Sale and Collection Act, "effective December 11, 1984	30, 202

Sale of Property

<i>BILL NUMBER</i>		<i>SUBJECT</i>	<i>PAGE</i>
1464	Conveyance	"Second Class City Treasurer Sale and Collection Act (See addendum for listing of property)	1073
1874	Conveyance	"Second Class City Treasurer Sale and Collection Act, effective December 11, 1984 - (See addendum for listing of property)	1198, 1290
1879	Conveyance	"Second Class City Treasurer Sale and Collection Act, effective December 11, 1984 - (See Addendum for listing of property)	1198, 1291
2135	Conveyance	"Second Class City Treasurer Sale and Collection Act, effective December 11, 1984	1678
2135	Conveyance	Providing for the filing of a conveyance of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act" effective December 11, 1984	1589
2339	Conveyance	"Second Class City Treasurer Sale and Collection Act" effective December 11, 1984	1955
1853	Dedication	Accepting the dedication of Gateway Boulevard and Riverfront Boulevard in the 16th Ward, 3rd Council District	1194, 1313
1140	Petition	Second Class City Treasurer Sale and Collection Act, "effective December 11, 1984	30
1238	Petition	Second Class City Treasurer Sale and Collection Act	193, 304
1655	Petition	"Second Class City Treasurer Sale and Collection Act" (See addendum for list of property)	876, 937

Sale of Property

<i>BILL NUMBER</i>		<i>SUBJECT</i>	<i>PAGE</i>
1873	Petition	"Second Class City Treasurer Sale and Collection Act, effective December 11, 1984 - (See addendum for listing of property)	1198, 1290
1877	Petition	"Second Class City Treasurer Sale and Collection Act, effective December 11, 1984 - (See Addendum for listing of property)	1198, 1291
2134	Petition	"Second Class City Treasurer Sale and Collection Act, effective December 11, 1984	1677
2134	Petition	Providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act" effective December 11, 1984	1589
2136	Petition	Providing for the filing of a conveyance of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act" effective December 11, 1984	1589
2207	Petition	"Second Class City Treasurer Sale and Collection Act", effective December 11, 1984"	1719, 1813
2305	Petition	"Second Class city Treasurer Sale and Collection Act", effective December 11, 1984	1886, 1957
2136	Petitions	"Second Class City Treasurer Sale and Collection Act, effective December 11, 1984	1678
1645	Quit Claim	Issue a quit claim deed for property, 6th Ward, Block 48R, Lot 25 to Exxon Corporation for the sum of \$70,000.00.00	851, 1001

Sale of Property

<i>BILL NUMBER</i>		<i>SUBJECT</i>	<i>PAGE</i>
1876	Quit Claim Deed	Authorizing the City of Pittsburgh to issue a quit claim deed for property designated as Block 61D, Lot part of 160 in the 18th Ward of the City of Pittsburgh to James C. Pantelis, Jr., for the sum of \$500.00	1198, 1291
1878	Quit Claim Deed	Authorizing the City of Pittsburgh to issue Quit Claim Deed for properties, designated as Block 60E, Lot 13, in the 29th Ward of the City of Pittsburgh and Block 138A, Lot 190, in the 32nd Ward of the City of Pittsburgh, to the Port Authority of Allegheny County	1198, 1291
2303	Quit Claim Deed	Issue a quit claim deed for property in the 32nd Ward of the City of Pittsburgh, designated as Block 139H, Lot 250 to the Port Authority of Allegheny County for the sum of \$5,700.00	1886, 1956
1138	Repealing	Second Class City Treasurer Sale and Collection Act, "effective December 11, 1984	30
2205	Repealing	Repealing items in Resolutions, approved on various dates, authorizing the sale of properties in various wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984	1719, 1812
1875	Transfer	Authorizing the Mayor and the Director of Finance, on behalf of the City of Pittsburgh to transfer its rights, title and interest, if any to certain property in the City of Pittsburgh adjacent to Lincoln Elementary School, to the School District of Pittsburgh as it is needed for future expansion	1198, 1291

Sale of Property - Acceptance

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1448	Accepting the dedication of certain property along Penelope Street, a portion of Lot and Block 15-A-120 between a 12" Unnamed Way and Spahrgrove Street, 19th Ward, 2nd Council District	610

Sale of Property - Amending

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1429	Amending Res. 47/1999 which authorized the sale of a vacant lot, 100.22 x 87.81 located at 2604 Arlington Avenue, 16th Ward, Block 13M, Lot 170 to Betty Wasick to correct the purchase price from \$1,000.00 to correctly read \$750.00	482, 569

Sale of Property - Conveyance

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1379	"Second Class City Treasurer Sale and Collection Act" (See Addendum for listing of property)	384, 491, 534
1380	"Second Class City Treasurer Sale and Collection Act" (See Addendum for listing of property)	384 491 534 109
1381	"Second Class City Treasurer Sale and Collection Act" (See Addendum for listing of property)	384
1563	Conveyance by the City of Pittsburgh certain properties in the 3rd and 5th wards to the Housing Authority of City of Pittsburgh for inclusion in the Hope VI Program, District 6 (See addendum for listing of properties)	693, 820

Sale of Property - Conveyance

BILL NUMBER		SUBJECT	PAGE
1564		Conveyance by the City of Pittsburgh certain vacant lots in the 3rd and 5th wards to the Housing Authority of City of Pittsburgh for inclusion in the Hope VI Program, Council District 6 (See addendum for listing of property)	693, 820
1583		"Second Class City Treasurer Sale and Collection Act" (See addendum for listing of properties)	743, 851
1829		"Second Class City Treasurer Sale and Collection Act" - (See Addendum for property Listing)	1151, 1254
1830		"Second Class City Treasurer Sale and Collection Act" - (See Addendum for property Listing)	1151, 1254
1214	Conveyance	"Second Class City Treasurer Sale and Collection Act, effective December 11, 1984	246
1975	Conveyance	Second Class City Treasurer Sale and Collection Act" effective December 11, 1984, having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program - See Addendum for listing of property	1352, 1452

Sale of Property - Dedication

BILL NUMBER		SUBJECT	PAGE
1448		Accepting the dedication of certain property along Penelope Street, a portion of Lot and Block 15-A-120, between a 12' Unnamed Way and Spahrgrove Street in the 19th Ward, 2nd Council District, City of Pittsburgh	520

Sale of Property - Deed

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1211 Deed	Issue a deed in form approved by the City Solicitor, for property in the 16th Ward of the City of Pittsburgh known as 2700-2702 Spring Wage designated as Block 13 S, Lot 261 to Carl R. & Kimberly Calio for the sum of \$500.00	246

Sale of Property - Petition

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1316	"Second Class City Treasurer Sale and Collection Act" - December 11, 1984 - See Addendum for property listing	303, 394
1317	"Second Class City Treasurer Sale and Collection Act" - See addendum for property listing	303, 394
1382	"Second Class City Treasurer Sale and Collection Act" (See Addendum for listing of property)	384
1431	Second Class City Treasurer Sale and Collection - See addendum for list of property	482, 570
1432	Second Class City Treasurer Sale and Collection - See addendum for list of property	482, 570
1525	"Second Class City Treasurer Sale and Collection Act" - See Addendum for listing of property	649, 761
1526	"Second Class City Treasurer Sale and Collection Act" - See Addendum for listing of property	649, 761
1527	"Second Class City Treasurer Sale and Collection Act" - See Addendum for listing of property	649, 761

Sale of Property - Petition

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1565	"Second Class City Treasurer Sale and Collection Act" (See addendum for listing of property)	693, 820
1584	"Second Class City Treasurer Sale and Collection Act" (See addendum for listing of properties)	743, 851
1831	"Second Class City Treasurer Sale and Collection Act"	1151, 1254
1976 Petition	Second Class City Treasurer Sale and Collection Act" effective December 11, 1984, having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program - See Addendum for property listing	1352, 1452

Sale of Property - Quit Claim Deed

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2359	Issuance of a quit claim deed for property, designated as part of Block 115 E, Lot 40, in the 27th Ward of the City of Pittsburgh to Walter R. Lorenz & Clara M. Lorenz, for the sum of \$500.00	1989, 2041

Sale of Property - Repealing

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1562	Repealing items in Resolutions, approved on various dates, authorizing the sale of properties in various wards of the City of Pittsburgh in accordance with Act No. 171 of 1984 (See Addendum for listing of property)	693, 820

Sale of Property - URA

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1558	URA to acquire all of the City's right, title and interest, if any in and to the following Publicly-owned property in the city of Pittsburgh Council District No. 3 - (See addendum for listing of property)	692, 832

Sewage Facilities

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1420	Adopting Official Sewage Facilities Plan for Steelers Stadium Development, 22nd Ward	480, 542
1443	Adopting an Official Sewage Facilities Plan for sewage services adequate to prevent contamination of waters and/or environmental health hazards with sewage wastes, and to revise said plan whenever it is necessary to meet the sewage disposal needs of the municipality	519, 621

TIF

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1083	Adopting the TIF plan presented by the URA of Pittsburgh creating the South Side Works Tax Increment Financing District	267
1116	Tax Incremental Financing Plan presented by the URA creating the East Liberty - Home Depot, USA Tax Increment Financing District	363
1557	Amending Section 3 of Resolution 45/1999 entitled Adopting a Tax Increment Financing Plan presented by the URA of Pittsburgh creating the Fulton Building Tax Increment Financing District and making certain findings (Council District 9)	692, 830

TIF		
BILL NUMBER	SUBJECT	PAGE
1791	Authorizing the Urban Redevelopment Authority of Pittsburgh to pursue a Tax Incremental Financing Proposal for portions of the Inner Triangle Redevelopment Area District 6	1094, 1201
1793	Authorizing the URA of Pittsburgh to pursue a Tax Incremental Financing Proposal or Proposals for a Redevelopment Area to be formed on the South Shore of the Monogahela River	1095, 1201
1860	Authorizing the URA of Pittsburgh to pursue a Tax Incremental Financing Proposal for portions of the River Avenue Redevelopment Area (Council District No. 1)	1195, 1317
2006	Adopting the Station Square Tax Incremental Financing Plan	1382, 1817
2092	Adopting the North Shore East River Avenue Tax Incremental Financing Plan	1541, 1939
2271	Fifth and Forbes Development in accordance with the 1998 Center Triangle Tax Increment Financing Plan and the 1999 Center Triangle Tax Increment Financing Plan	1839

Transfer		
BILL NUMBER	SUBJECT	PAGE
1060	\$50,000.00 from the Non-Departmental - Personnel, Pension Account to the Law Department's Miscellaneous Services Account in order to hire outside assistance to help the Law Department with the technical aspects of the cable communications franchise renewal process	246

Transfer

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>	
1150	\$7,000.00 from Sub Class 010, Salaries, City Council to Sub Class 150, Miscellaneous Services, City Council	60, 91	\$7,000.00
1310	\$15,000.00 from fund No. 1000, Org. Code 999200, budget year 1999 Non-Departmental Citywide to the Public Safety Police Miscellaneous Services Fund, budget year 1999	302, 393	
1350	\$16,000.00 from the Cable Communications Trust Fund to the Equipment Leasing Authority Fund for the purchase of vehicles and related accessories	337, 658	
1351	\$19,100.00 from the Building of Bureau of Inspection Trust Fund to the Equipment Leasing Authority Fund for the purchase of vehicles and related accessories	338, 658	
1352	\$360,000.00 from the Emergency Medical Services Trust Fund to the Equipment Leasing Authority Fund for the purchase of vehicles and related accessories	339, 658	
1353	\$5,500.00 from the Emergency Medical Services Salaries Account to Emergency Medical Services Tuition Reimbursement Account for EMS Personnel	339, 430	
1358	\$107,708.00 from various 1997 accounts Citywide to the Fire Bureau's 1997 Salary Account in order to resolve deficits in the 1997 Fire Payroll Accounts	340, 430	

Transfer		
BILL NUMBER	SUBJECT	PAGE
1359	\$128,274.00 from various 1997 accounts Citywide to the Fire Bureau's 1997 Premium Pay Account in order to resolve deficits in 1997 Fire Payroll Accounts	340, 430
1403	Transfer the aggregate amount of \$10,164.90 from various codes to Salaries, Regular Employees, Account 511000, Fund 1000, Organization 510000, Subclass 010, Year 1998	424, 533
1485	Transfer of \$50,000.00 from the Confiscated Narcotics Proceeds Trust Fund to the Equipment Leasing Authority for the purchase of vehicles and related accessories	602, 659
1522	\$115,000. To the Special Parks Program Trust Fund, Budget Year 1999 from the Special Summer Food Service Program Trust Fund	648, 760
1543	\$200,000.00 from various code Accounts with the Department of Public Works to other varied Code Accounts within the Department of Public Works	690, 763, 827
1657	\$500,000 from Code 45, health/Life Insurance-Municipal Employees, Non-Departmental Personnel to Special Summer Food Service Program Trust Fund, Department of Parks and Recreation	877, 938
1658	\$12,000.00 from Account 593100 to the Special Parks Programs Trust Fund, Department of Parks and Recreation	877, 979

Transfer

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1686	\$500,000 from PNC General Fund Bank Account, Fund 1000, to the Emergency Telephone Act Trust Fund, as a temporary loan for various operating expenditures within the Emergency Operations Center Department of Public Safety	934
1732	\$85.00 from City Council to the Zoning Board of Adjustment Fund	1000, 1050
1761	\$2,000.00 from City Council Sub Glass Miscellaneous Services to the Korean War Veterans Memorial	1045, 1073
1764	\$25,000.00 from Account 568500, Fund 1000, Organization 10300 to Account 516000, Fund 1000, Organization 103000, Mayor' Office, City Information Systems, This transfer is necessary to compensate our staff for the extra hours necessary to handle the extensive volume of work related to the Y2K projects and applications	1046, 1099
1796	\$50,000.00 from Utilities, City Information Systems, \$74,000.00 from Miscellaneous Services, City Information Systems and \$100,000.0 from Health Care Department of Personnel to Information Systems Modernization, Department of Finance	1095, 1198
1816	\$300,000 from the Bureau of Police to the Emergency Operations Center, Department of Public Safety	1149, 1199
1818	\$100,000 from within the Bureau of Police, Department of Public Safety	1149, 1253

Transfer		
<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1888	\$50,000.00 from Organization: 123000, Account 511000, Fund: 1000, Sub: 010, Account: 51600, Fund 1000, Sub: 020, Premium pay, Department of General Services	1247, 1292
1891	Authorizing the transfer of \$200,000.00 from within the Bureau of Fire, Department of Public Safety	1248, 1293
1916	Authorizing the transfer of \$7,500.00 from Rent Office, Organization: 121000, Account 561800, Fund 1000, Sub Account 140, Budget Year: 1999 To Organization 121000, Account 516000, Index Code 1126515, Fund: 1000, Sub Account 020, Premium Pay, Budget Year 1999, Department of General Services, Bureau of Administration	1344, 1451
1925	\$300,000.00 from Salaries to Premium Pay, \$150,000.00 from the Bureau of Environmental Services, both within the Department of Public Works	1346, 1451
1982	\$36,000.00 from the Local Law Enforcement Block Grant Trust to the Equipment Leasing Authority for the purchase of two detective vehicles and related accessories	1378, 1454
1983	\$159,000.00 from the Bureau of Police to the Bureau of Emergency Medical Services. Department of Public Safety	1379, 1491
1984	\$8,000.00 from the Bureau of Police to the Bureau of Emergency Medical Services Department of Public Safety	1379, 1491

Transfer

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2010	\$16,000 from the Miscellaneous Service Account to Salaries Account in the Department of Finance in order to resolve deficits in the 1997 Finance payroll accounts	1383
2011	\$12,950 from the Miscellaneous Services Account to the Salaries Account in the Law Department and transferring \$200,050 from the Salaries Account to the Premium Pay Account in the Department of Public Safety, Bureau of Fire in order to resolve deficits in the 1998 Law and Fire payroll accounts	1383
2022	\$6,000.00 from Sub Class 010, Salaries, City Council to Sub Class 150, Miscellaneous Services, City Council, Account 526125	1432, 1550
2060	\$200,000.00 from the Special Summer Food Service Program Trust Fund, Department of Parks and Recreation to Code 45, Health/Life Insurance-Municipal Employees, Non-Departmental Personnel	1489, 1601
2061	\$40,000.00 from Salaries, Regular Employees to Premium Pay	1490, 1601
2086	\$9,000.00 from Organization Code 12100 to Organization 121000, Miscellaneous Services Department of General Services	1540, 1635
2087	\$160,000.00 from the Bureau of Police to the Office of Municipal Investigations, Law Department	1540, 1636

Transfer		
<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2088	Ten Million dollars from the City's operating reserve fund balance and the capital bond account to various code accounts in various Department sin each of the following three years, FY2000, FY2001 and FY2002 so support the expenditures, appropriations needed to fulfill work plan developed by the Neighborhood Infrastructure Improvement Commission	1540
2101	\$3,000.00 from within the Department of City Controller; from Miscellaneous Services Printing to Supplies	1542, 1636
2122	\$3,700.00 from Sub Class 150, Miscellaneous Services, City Council, Account: 526125, Org: 101100, Fund: 1000, Budget Year 1999 to Sub Class 010, Salaries, City Council, Account 511000, Org: 101100, Fund: 1000, Budget Year: 1999	1677
2122	\$7,300.00 from Sub Class 150, Miscellaneous Services, City Council Account: 526125, Org: 101100, Fund: 1000, Budget Year 1999 to Sub Class 010, Salaries, City Council, Account 511000, Org: 101100, Fund: 1000, Budget Year 1999	1587

Transfer

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2131	\$911,000 from Organization 999300, Account 51100, Fund 1000, Sub-class 010, Budget Year 1999, to Organization 999300, Account 574500, Index Code 004697, Fund 1000, Sub-Class 040, Budget Year 1999, Department of Personnel & Civil Service Commission, Employee Compensation	1589, 1744
2132	\$5,000.00 from fund 1000, account 5121000, sub class 010 organization code sub-class 020, organization 10900, Department of Personnel & Civil Service Commission, Salaries to Premium Pay	1589, 1744
2202	\$10,000.00 from Salaries, Regular Employees, Account 511000, Fund 1000, Subclass 010, Organization 510000, Budget Year 1999 to Supplies, Account 533400, Fund 1000, Subclass 100, Organization 500000, Budget Year 1999, all in the Department of Parks and Recreation	1718, 1811
2229	\$60,000.00 from the Department of Law, Salaries, Fund 1000, Organization 108000, SUB 010, Account 511000, Budget Year 1999 to Department of Law - Miscellaneous Service - Professional, Fund 1000, Re- organization 108000, Sub 150, Account 526100, Budget Year 1999	1771, 1814

Transfer		
BILL NUMBER	SUBJECT	PAGE
2230	\$3,000.00 from City Clerk, Miscellaneous Services, Sub Class: 150, Account 525500, Org: 101200, Budget Year: 1999 to City Council Education and Training, Sub Class 030, Account: 564300, Org: 101100, Budget Year: 1999	1771, 1844
2249	\$33,000.00 from organization Code 122000 to Organization 12300, Budget Year 1999, Premium Pay, Department of General Services	1807, 1886
2252	\$300,000.00 from Special Summer Food Service Trust Fund, Parks & Recreation to Code 45 Health Life Insurance Municipal Employees	1808, 1887
2293	\$350,000.00 from Emergency Medical Services Organization to Emergency medical Services Organization	1884, 1928
2299	\$115,000.00 from various Code Accounts within the Department of Public Works to other various Code Accounts within the Department of Public Works	2006
2299	\$115,000.000 from Salaries to the Solid Waste Trust fund both within the Department of Public Works	1885, 1961
2333	\$730,265.14 from the Bureau of Police to the Law Department	1954, 1990
2350	\$115,000.00 from Emergency Medical Services Organization to Emergency Medical Services Organization	1988
2351	\$39,448.00 from within the Bureau of Fire, Department of Public Safety	1988, 2041
2357	\$742,154 from various accounts citywide to the Pension	1989, 2041

Transfer

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2358	\$160,000.00 from Finance, Salaries, Fund, Budget Year 1999 to Non-Departmental - City - Wide Judgements, Fund, Budget Year 1999	1989, 2041

Transfer - Amending

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1171	\$500,000.00 from various amounts within the Department of Public Safety, Bureau of Police to the Public Safety Training Account Trust Fund, Department of Public Safety, Bureau of Police, "by decreasing the total amount of transfer to \$493,000.00 Dollars	87

Trust Fund

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1154	Directing the Budget Director and City Treasurer to collect and deposit all payments received from the State of PA Municipal Service Agreement into STORM TEAM TRUST FUND	60
2231	Authorizing the City of Pittsburgh to establish a trust fund and the deposit therein a portion of the City's Dog License Fee in order to providing a funding stream in support of the Department of Parks & Recreation's Off Leash Exercise Program	1771

URA

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1156	Authorizing the URA of Pittsburgh to submit an application to the PA office of the Budget for a Redevelopment Assistance Capital Program in the amount of \$7,000,000.00 for the North Shore Revitalization Project	61
1159	Submit an application for Financial Assistance in the amount of \$3,215,000.00 to the Commonwealth Of Pennsylvania Department of Community and Economic Development for the Housing Recovery Program, Neighborhood Program, Community Development Investment Fund	61
1203	Contract for disposition of land by and between the URA of Pittsburgh and 800 Waterfront	268
1204	Disposition of Land by and between the URA and Allegheny Center Associates for the sale of Parcel 3 (Block 8G Lots 206 and 207, 22nd Ward, District 1	143
1205	Disposition of Land by and between the URA of Pittsburgh and Rycon Construction for the sale of Part of Block 25N, Lot 305 in the 2nd Ward, Liberty Avenue between Twenty Fifth and Twenty Sixth Street, renovation of building for office and warehouse use	309
1205	Disposition Contract by and between the URA and Rycon Construction, Inc. for the sale of Part of Block 25N, Lot 305, Council District 6	143

URA		
<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1396	URA of Pittsburgh submit an application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program in the amount of \$75,000,000 for the Pittsburgh Steelers Football Stadium Project, Council District 6	423, 544
1397	URA of Pittsburgh submit an application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program in the amount of \$75,000,000 for the PNC Park Baseball Stadium for the Pittsburgh Pirates, Council District 6	423, 544
1398	URA of Pittsburgh to expend \$300,000 from the Industrial Land Reserve Fund for the environmental remediation of the former Kerotest facility, Council District 6	424, 544
1400	URA to transfer certain property located in the 14th Ward designated as Block 128P, Lot 7, Council District 5	424, 544
1401	URA to acquire all of the City's right, following Publicly-owned Property designated as Block 11-K, Lot 19, in the 1st Ward - Rental Housing Development Improvement Program	424,544
1421	Disposition Contract by and between the URA and UPMC Health Systems, related to entity to be from the sale of part of Block 29J, Lot 8, 16th Ward, Redevelopment Area No. 55, Carson Street, District 3	480, 661

URA		
<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1458	Directing the Director of Planning, in conjunction with the URA to develop a comprehensive redevelopment plan for the LTV Steel Company, Inc.'s former Coke and By-Products facility and the Irvine/Second Avenue commercial corridor in Hazelwood and furthermore, to develop strategies for the possible acquisition of the LTV property by the URA	522
1579	Contract for Disposition by Sale of Land by and between the URA of Pittsburgh and Gildas A. Kaib, Jr. for the sale of various properties in the 18th Ward of the City of Pittsburgh, District 3	742, 832, 1053
1613	Authorizing the URA of Pittsburgh to acquire all of the City's right, title and interest if any to publicly owned property in the City of Pittsburgh District No. 3	811, 1053
1615	Disposition Contract by Sale of Land be and between URA and Jeanine C. Bacon for the Sale of Block 7B, Lot 380 in the Twenty First Ward of the City of Pittsburgh for \$310.00, District 6	811, 908
1616	Disposition Contract by and between the URA and Chartiers Nature Conservancy, Inc. for the sale of Parcels 12A and 12B, 28th Ward, of the City of Pittsburgh, District 2	812, 908
1617	Disposition Contract by and between the URA and Chartiers Nature Conservancy, Inc.	812, 908

URA

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1618	Authorizing the URA to acquire that property located at 477-479 Kilbourne Street, District 5	812, 908
1619	Authorizing the URA to acquire property in the 15th Ward of the City of Pittsburgh	812, 908
1620	Authorizing the URA to acquire that property at 161 Brahm Street, District 1, owned by William Pegg	813, 908
1685	Disposition Contract Land by and between the Urban Redevelopment Authority of Pittsburgh and a.m. Rodriguez Associates, Inc., or a limited partnership to be formed, for the sale of Block 29N lots 77 and 161, in the Sixteenth Ward	933, 1016
1731	Contract for Disposition of land by and between the URA and the Soffer Organization or an entity to be formed for the sale of parcels B & C, 44 S. 26th Street EE. Carson Street, proposed Gateway Boulevard and the Monogahela River Council District #3	999, 1053
1792	Authorizing the URA of Pittsburgh to submit an Application to PA Office of the Budget for a Redevelopment Assistance Capital Program "RACP" grant in the amount of \$10,000,000 for the Marketplace at Fifth and Forbes Project, District 6	1095, 1201

URA

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1822	Contract for Disposition of Land by and between the URA of Pittsburgh and H.J. Heinz Company for parcels 14, 114a, 16 and 17 (Block 24L, Lot 92 and Block 24H, Lots 136, 138, part of 140, 150, 158, 168 and 169), 24th Ward, Redevelopment Area No. 48, District 1	1150
1823	Contract for Disposition of Land by and between the URA of Pittsburgh and Western Pennsylvania Magellan Development Corporation for the lease of Part of Parcel 2 (Block 2C Part of Lot 300) in the Third Ward of the City of Pittsburgh, District 6, Bedford Avenue at Crawford Street (Parking Garage)	1150, 1263,1561
1824	Submit a 1999-2000 Application for Financial Assistance in the amount of \$2,800,000.00 to the Commonwealth of Pennsylvania Department of Community and Economic Development for the Community Development Investment Fund, Streetface Program and Heinz Distribution Center Project	1150
2028	URA to submit an application for financial assistance in the amount of \$585,000 to the Commonwealth of PA Department of Community & Economic Development for the Main Street Commercial Reinvestment Program	1432, 1553

URA

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2094	URA of Pittsburgh to acquire all of the City's Right, Title and Interest, if any, in and to the following publicly-owned property in the 14th ward of the City of Pittsburgh, District No. 5	1541, 1654

Vacation

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1151	Vacating a portion of Rodman Street, 40 feet wide from North Highland easterly to its dead end in the 11th Ward, 9th Council District	60, 100
1152	Vacating a portion of Fall Way, between Serene Street and Admiral Street, 24th Ward, 1st Council District	60
1232	Vacating an irregular portion of Weitz Way, between Brighton Woods Road and its Dead End in the 27th Ward, 1st Council District	192, 307
1376	Vacating Shore Avenue 80' wide, from Allegheny to Galveston Avenue, Former Reedsdale Street from Allegheny avenue to its easterly terminus in the 22nd Ward, 6th Council District	384, 491
1611	Vacating a portion of North Negley Avenue and North St. Clair Street, 11th Ward, District 9	811, 883
1612	Vacating portions of Federal Street, West General Robinson Street, Stadium Drive East and North Shore Drive, 22nd Ward, 6th District	811, 883
1730	Vacating portions of Dalemount Street, in the 20th Ward, 4th Council District	999, 1081

Vacation

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1855	Vacating a portion of Hankla Way in the 19th Ward, 2nd Council District of the City of Pittsburgh	1194, 1459
1856	Vacating Holtz Way and Unnamed Way in the 3rd Ward, 6th Council District of the City of Pittsburgh	1195, 1396
1857	Vacating a portion of S. 25th Street from Sidney Street to its northern terminus at S. Water Street in the 16th Ward, 3rd Council District of the City of Pittsburgh	1195, 1313
2025	Vacating a portion of Almont Street from Spokane Avenue to Santron Avenue, 19th Ward, 4th Council District	1432, 1552
2026	Vacating 10' Unnamed Way between Oakland Avenue and S. Bouquet Street, 4th Ward, 3rd Council District of the City of Pittsburgh	1432, 1552
2127	Vacating a portion of Murko Way and 12' Unnamed Way in the 25th Ward, 6th Council District of the City of Pittsburgh	1588
2127	Vacating a portion of Murko Way and 12" Unnamed Way in the 25th Ward, 6th Council District	1680
2128	Vacating 10' Unnamed Way between Elba Street and Centre Avenue and a 5" Unnamed Way from this 10" Unnamed Way to its easterly terminus in the 5th Ward, 6th Council District	1680

Vacation

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2128	Vacating 10' Unnamed Way between Elba Street and Centre Avenue and a 5' Unnamed Way from this 10' Unnamed Way to its easterly terminus in the 5th Ward, 6th Council District	1588
2162	Vacating a portion of Ibsen Way between Ikon and Isles Ways in the 14th Ward, 5th Council District of the City of Pittsburgh	1625, 1747
2199	Vacating a portion of Strauss Street from Irwin Avenue eastwardly 274.59 in the 26th Ward, 1st Council District	1718, 1815
2200	Vacating a portion of Beckett Way, in the 11th Ward, 9th Council District	1718, 1815, 1850

Warrant

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>	<i>AMOUNT</i>
1107	Thorp, Thomas - full and final settlement of the action filed at C.A. 95-2072 alleging personal injury on or about July 17, 1995	50	
1160	Royster, John, settlement of a claim in which claimant's property was damaged due to a razing of a three stall brick garage by the Bureau of Building Inspection	61, 202	\$4,527.00
1173	C & M Contracting, repair of a City-owned wall located within the Lower Allegheny Riverfront Park	87, 203	\$10,305.16
1237	Newcomer's Electric Contractor, payment for installation of holiday lighting in Hazelwood	193, 304	

Warrant

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>	<i>AMOUNT</i>
1262	Sipula, Jan, settlement of a claim in which a City public works truck hit and damaged claimant's vehicle	241, 343	\$2,858.62
1373	Tony Pampena Corporation in the amount of \$106,760.66	491	
1419	Frank J. Zottola Construction, Inc., cost not to exceed \$15, 499.24 for delay claim costs associated with the Municipal Courts Access Road project	480, 569	\$15,499.24
1425	Providing for the issuance of a \$3,003.00 warrant in favor of Demetrius Waldon, settlement of a claim in which claimant's vehicle was in the City Tow Pound when items were taken from his vehicle on November 29, 19998	481	\$3,003.00
1426	Providing for the issuance of a \$3,256.00 warrant in favor of Gregory Rossiter, settlement of claim in which claimant's sidewalk and front porch were damaged when a City Public Works truck backed onto his property July 24, 19998.	481, 569	\$3,256.00
1427	Providing for the issuance of a \$17,250.92 warrant payable to the Commonwealth of PA representing the final payment required for unclaimed funds for the year 1990 pursuant to the provisions of Deposition of Abandoned and Unclaimed Property Act	481, 569	\$17,250.92

Warrant

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>	<i>AMOUNT</i>
1428	Warrant in the amount of \$6,870.70 payable to the Commonwealth of PA representing the initial payment required for unclaimed funds for the year 1991 pursuant to the provisions of Deposition of Abandoned and Unclaimed Property Act	482, 569	\$6,870.00
1453	USX Corporation and Bethlehem Steel Corporation c/o Barry J. Trilling, Esquire, full and final settlement of the action filed alleging the release of hazardous substances from a landfill located in Elizabeth Township	521, 608	
1473	Commonwealth of Pennsylvania to pay the City of Pittsburgh JTPA Program's share of statewide on-line computer system cost for the period July 1, 1998 - June 30, 1999	568, 658	
1524	Housing Authority of the City of Pittsburgh in settlement of a claim in which a City Police vehicle hit and damaged claimant's vehicle	649, 761	\$16,330.49
1604	Noralco Corporation, costs directly related to the repair and rehabilitation of an unforeseen party wall at 704-706 Second Avenue	809, 888	
1644	Sheraton Hotel Station Square, for the City parks Senior Interest Program Volunteer Recognition Gala	851, 937	\$6,826.30

Warrant

BILL NUMBER	SUBJECT	PAGE	AMOUNT
1660	USX Corporation and Bethlehem Steel Corporation c/o Barry Trilling final settlement alleging the release of hazardous substances from a landfill located in Elizabeth Township" by changing the name of the payee to read USX Corporation and Pepper Hamilton, LLP	878, 938	
1701	Barleman, John, T., 323 Pinecastle Avenue, settlement of claim in which water run off from improper street resurfacing and lack of catch basins caused property damage	970, 1072	\$7,744.48
1702	Carter, Carole., 329 Pinecastle Avenue, settlement of claim in which water run off from improper street resurfacing and lack of catch basins caused property damage	971, 1073	\$8,400.45
1703	Fratto, Mario & Carolyn settlement of a claim in which claimants vehicle was damaged by a City Street Sweeper on April 6, 1999	971, 1073	\$5,085.00
1704	Stoyanoff, Deborah, settlement of claim in which claimant's sewer backed up causing damage to her basement on December 31, 19998	971, 1073	\$8,404.13
1765	Loncar, Carol A., full and final settlement of an action filed at gd 94-00820 and arising out of the issuance of a summary criminal citation against Ms. Loncar on or about January 18, 1992	1046, 1099	

Warrant

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>	<i>AMOUNT</i>
1789	Bally Design, \$27,521.00, Triangle Welding, \$10,907.00, Christine Davis Consultant, Inc., \$7,900.00 for an aggregate amount of \$46,328.00 in conjunction with the historic interpretive signage system for the Heritage Trails	1094, 1215	
1828	Pittsburgh Flatroll Company, in settlement of a claim in which claimants fence was damaged due to the way vehicles are parked at the City Tow Pound	1151, 1253	
1893	Karkadoulis Bronze Art, Monument Restoration work, cost not to exceed \$7,500.00	1248, 1293	\$7,500.00
1973	Meyer, Mary R., in settlement of a claim in which claimant's sewer backed up causing damage to her property on February 28, 1999	1352, 1451	
1986	Commonwealth of Pennsylvania \$17,310.65, payment of the retainage held an extra work performed on the Contract with Spadafora Corporation in connection with the construction of EMS Station No. 6	1379, 1491	\$17,310.65
1987	Duquesne Light Company, city's 30% share of relocation costs incurred by Duquesne Light Company in conjunction with the Columbus Avenue bridge	1379, 1492	\$92,319.27
1988	U.S. Nuclear Regulatory Commission, License Fee and Accounts Receivable for annual materials fee invoice	1379, 1492	

Warrant			
<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>	<i>AMOUNT</i>
2030	Laidlaw, settlement of a claim in which claimant's bus was damaged due to a City ES truck March 22, 1999, \$4,119.98	1433, 1550	\$4,119.98
2031	Yasko, Martin J., settlement of a claim in which claimant's sewer line was damaged due to City tree roots on February 1, 1999	1433, 1551	\$3,367.00
2059	Wlodkowski, Edward - reimbursement of costs incurred from a private lawsuit resulting from an encroachment authorized by the City of Pittsburgh July 31, 1996	1489, 1956	
2062	Carnegie Library of Pittsburgh in an amount not to exceed \$5,487.58 in payment for utility costs for the Sheraden Senior Citizen for the benefit of the City without previous authority of law	1490, 1604	\$5,487.58
2099	Issuance of a \$6,000.00 warrant in favor of Harold & Martha Jackson, in settlement of a claim in which claimant's suffered personal injuries from an intersectional accident with a City of Pittsburgh Fire vehicle on December 3, 1997	1542, 1636	\$6,000
2167	McCullough, Lois - settlement of a claim in which City tree roots caused sewer pipe damage, \$6,670.00	1626, 1744	\$6,670.00
2204	American Legal Publishing Corporation in payment for professional services for the Pittsburgh Code, at a cost not to exceed \$2, \$23.50	1718, 1812	\$2,523.50

Warrant

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>	<i>AMOUNT</i>
2275	Brothers & Sons, Inc., for the purchase of equipment and supplies in amount not to exceed \$26,841.43	1843, 1927	\$26,841.43
2276	Lawniczak, Renee, full and final settlement of the action filed at GD-96-12506 personal injuries from an intersectional accident with a City of Pittsburgh Emergency Medical Services Vehicle	1843, 1927	
2277	Heidkamp, Kathleen, final settlement of the action filed at GD92-8808 for injuries sustained due to an accident at a crosswalk on Virginia Avenue	1843, 1927	
2278	Kovacs, Daniel, full and final settlement of alleged violation of civil rights arising from an incident on July 23, 1992	1843, 1927	
2279	Stewart, Kevin R., full and final settlement of an action filed at ca-997-1240 and arising out of the arrest of Mr. Stewart	1843, 1927	
2294	Pennsylvania Automobile The Prevention Authority in the amount of \$60,623.70	1884, 1956	\$60,623.70
2314	\$15,000.00 Warrant in favor of Mackin Engineering Company in the amount of \$15,000.00 to cover costs associated with the design of repairs to Cape May Bridge sidewalk	1918, 1990	\$15,000.00
2355	Just Ducky Tours, Inc., costs incurred for the hiring of Pittsburgh Police to perform special detail at the public river access in the South Side, \$2,020.00	1988	\$2,020

Warrant

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>	<i>AMOUNT</i>
2355	Just Ducky Tours, Inc., for reimbursement of costs incurred for the hiring of Pittsburgh Police to perform special detail at the public river access in the South Side, cost not to exceed \$2,020.00	2006	\$2,020.00

TABLE OF CONTENTS

TITLE	PAGE
Ordinance.....	76
Title One - Administration.....	76
Title Two - Fiscal.....	76
Title Six - Conduct.....	76
Title Seven - Business Licensing.....	78
Title Eight - Fire Prevention.....	78
Title Nine - Zoning.....	78
Title Ten - Building.....	80

BILL NUMBER	SUBJECT	PAGE
Ordinance - Title One		
882	Amending the Pittsburgh Code, Title 1 - Administration Chapter 161 - Contracts, adding Section 161.32 - Pittsburgh Works, by requiring a certain percentage of all project work hours to be performed by City of Pittsburgh residents	887
1452	Administrative, Article XI, Personnel, Chapter 181, General Provisions, Section 181.09, Advance of Expenses, by deleting "City Treasurer"	521, 608
1511	Title One, Administrative, Article Eleven: Personnel, by adding Chapter 186 to Recognize Domestic Partnerships and Common Law Marriage Relationships with the Context of City Employment (Sponsored by Mr. Cohen & Mr. Ferlo)	647, 888
1634	Chapter 161 Contracts, Section 161.21 Acquisition and Disposal of Animals and Plants the Zoo, Aviary and Phipps Conservatory, to delete reference to the acquisition and disposal of Animals and Plants at the Zoo, Aviary and Phipps Conservatory and to permit the Director of the Department of Public Safety to purchase canines and horses and to establish rules and regulations for such acquisition and disposal of police animals	848, 911
1684	Title One, Article XI, Personnel - Section 181, General Provisions, Subsection 181.10(a) Attendance by changing the reimbursement rate from \$5 per meeting to \$15 per meeting	933, 1002
1780	Title One Administrative, Chapter 161 - Contracts, Section 161.33 - Pittsburgh Employment Opportunities and Living Wage, requiring employers who receive city assistance to sign an employment agreement and pay employees a minimum living wage, creating the City Assistance Advisory Committee, providing for enforcement, due process and penalties for violations	1070

BILL NUMBER	SUBJECT	PAGE
Ordinance - Title One		
1827	Title One, Administrative, Article VII, Procedures, Chapter 161, Contracts, by adding Section 161.30 - Requiring Contractors and Employers of employees hired to staff hospitality operations to be signatory to collective bargaining agreements where the City of Pittsburgh has a financial or proprietary interest	1151, 1253
1895	Fiscal, Article I, Administration, Section 201.11, Tax Increment Financing Registration," by changing the percentage of city residents to be hired from 50% to 35%	1248, 1293
Ordinance - Title Two		
1404	Fiscal, Section 263.22 "Participation in The property Tax Relief Program" paragraphs (a) and (b), by increasing the maximum income limit for participation in the Property Tax Relief Program and setting standards for certification; and Section 263.22 "City Treasurer Duties" paragraph (b), by clarifying filing requirements	424, 533
1759	Title 2, Fiscal, Article I, Administration, Chapter 201, City Treasurer, Section 201.11, Tax Increment Financing (TIF) Registration, by adding new sections regarding the commitment to employ city Residents at facilities which are support by Tax Increment Financing	1045, 1289, 1635
1815	Title Two, Fiscal, Article IX, Property Taxes, Chapter 267, "Exemptions for Industrial and Commercial Improvements, :by expanding the exemption authorized by Chapter 267 to include the conversion of industrial commercial or other business properties to commercial residential use	1149, 1253
1866	Zoning, by creating a North Side Commercial Parking Area Overlay District under Chapter 907 "Development Overlay Districts, Section 907.03 to establish a five year moratorium prohibiting the use of vacant lots for commercial outdoor parking facilities	1196
2316	Title Two, Fiscal, Article IX, Property Taxes, Chapter 263, Real Property Tax Section 263.01, levy and Rate on Lands and Buildings, by levying the real property tax for 2000	2004

BILL NUMBER	SUBJECT	PAGE
Ordinance - Title Two		
2316	Title Two Fiscal, Article IX, Property Taxes, Chapter 263, Real Property Tax Section 263.01, levy and Rate on Lands and Buildings, by levying the real property tax for 2000	1918
2317	Title Two Fiscal, Article VII, Business Related Taxes, Chapter 245, Earned Income Tax and 246, Home Rule Tax, by fixing the rate of interest on certain delinquent Earned Income and Home Rule Taxes for 2000	1918
2317	Title Two, Fiscal, Article VII, Business Related Taxes, Chapters 245, earned Income Tax and 246, Home Rule Tax, by fixing the rate of interest on certain delinquent Earned Income and Home Rule Taxes for 2000	2004
Ordinance - Title Four		
2208	Title Four - Public Places and Property, Article XI, Parks and Playgrounds, Chapter 473, Use Regulations, Section 473.05, Behavior, in order to create an exception that would permit owners to have a dog off-lease in specific designated areas of city parks and/or greenways and to empower the Director of Parks & Recreation to ban any dogs or other pets form any OLEA or any park per site.	1719, 1852
Ordinance - Title Five		
1261	Traffic, Chapter 549, Residential Permit Parking Program, Section 549.08 Visitors Permits, by changing the amount of days available for visitor permit parking within a specified period of time	241, 1010
2008	Traffic, Article : Administration; chapter 503: Enforcement and Control by adding Section 503.14 Regulation of Bicycle Traffic in Downtown and Business District.	1383, 1605
2137	Title Five Traffic; Article I, Administration, Chapter 503, Enforcement and Control, Section 503.07, Stop Points, by establishing a process for the placement of STOP signs and WATCH CHILDREN signs within the City of Pittsburgh	1589

BILL NUMBER	SUBJECT	PAGE
Ordinance - Title Five		
2137	Amending and supplementing the Pittsburgh Code, Title Five, Traffic, Article I, Administration, Chapter 503, Enforcement and Control, Section 503.07, Stop Points, by establishing a process for the placement of STOP signs and WATCH CHILDREN signs within the City of Pittsburgh	1689
Ordinance - Title Six		
1136	Title Six, Conduct, Article I, Regulated Rights and Actions, Chapter 617, Smoking Pollution Control, Section 617.04, Prohibition of Smoking in Public Places, Subsection 617.04(a)(14), Underground transit stations, to allow eating and drinking within the confines of designated areas within underground transit stations	30
1136	Conduct, Article I, Regulated Rights and Actions Subsection 617.04(a)(14), Underground Transit Stations	101
2209	Title Six - Conduct, Article III, Dogs, Cats and Other Animals, Chapter 633, Section 633.06 License Fee; Exceptions, by increasing dog license fees by \$2.00 effective for year 2000 Licenses	1719, 1852
2210	Title Six - Conduct, Article III, Dogs, Cats and Other Animals, Chapter 633, Section 633.08 Dogs at Large Prohibited, in order to create an exception that would permit owners to have a dog off-leash in specifically designated areas of city parks and/or greenways	1719, 1852
2211	Title Six - Conduct, Article III, Dogs, Cats and Other Animals, Chapter 633, by adding Section 633.21 to create Off Leash Exercise Area wherein persons are permitted to have a dog off-leash in specifically designated areas of city parks and/or greenways	1719, 1852
Ordinance - Title Seven		
1260	Business Licensing Article VII, Service Businesses, Chapter 765, Commercial Hauling of Municipal Waste, by adding requirements to keep dumpster lids closed at all times	241

BILL NUMBER	SUBJECT	PAGE
Ordinance - Title Seven		
1922	Business Licensing, Article III, Sales Businesses, Chapter 719 Vendors and Peddlers, by making various changes	1345
2121	Title Seven Business Licensing, Article IX, Amusement Businesses, Chapter 777, Mechanical Amusement Devices, Section 777.01, License Required; Exception, Section 777.93 Information Required, Section 777.05, License Fees and Section 777.07, Revocation, Debarment and Contraband Declaration, by adding specific language and additional requirements to further prohibit mechanical gambling devices	1587, 1763
Ordinance - Title Nine		
948	Pittsburgh Code, Title Nine, Zoning, Article V, "Use Regulations," Chapter 911 Primary Uses, Section 911.04.A.7 "Bed and Breakfast" by inserting new standards for "Bed and Breakfast"	438
1206	Zoning, Chapter 921, by changing from "C6-C" Downtown Riverfront District Area C to "C6-B" Downtown Riverfront District Area B all that certain property bounded by Federal Street, District 6	143, 543
1207	Zoning, Article IV by controlling the development of public sports facilities for major league franchises and by revising the site development standards for urban open space and structure height	143, 543
1251	Zoning, by changing the Zoning District Map Conversion Chart to specify that the "M2" and "M3" Industrial Districts are covered to UNC rather than NDI	240, 1009
1252	Zoning, Section 925 by revising the Contextual Setback regulations	240, 1009
1253	Zoning, Chapter 911 by revising the definition of Bed and Breakfast (Limited)	240, 1009
1254	Zoning, Chapter 911 by revising the Use Table for Religious Assembly (Limited) and Religious Assembly (General)	240, 1009

BILL NUMBER	SUBJECT	PAGE
Ordinance - Title Nine		
1255	Zoning, Chapter 901, by revising regulations pertaining to uses which are institution, educational institution, or unit group buildings thereof, and hospital or unit group buildings	241, 1009
1256	Zoning, to include the Urban Industrial District	241, 1009
1257	Zoning, Chapter 908 by revising the Public Realm District Regulations	241, 1010, 1261
1258	Zoning, Chapter 911 by revising the Use Standards	241
1259	Zoning, Chapter 911 by revising the Use Standards	241, 1010
1311	Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 6 by changing from "RP" Residential Planned Unit Development District to "CP" Commercial Planned Unit Development District, Council District 1	302, 660
1519	Title Nine, Zoning, Chapter 902, Section 902.03.A. Zoning District Map	648, 980
1520	Title Nine, Zoning, Article IV, Chapter 910, by revising the site development standards for height of structures in the "DR-B", Downtown Riverfront, Sub-district B.	648, 980
1643	Amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 902, Section 902.03.A. Zoning District Map Nos. 12 and 17 by changing Ron "R2" ("RT-2) Two Family Residence and "R3" (RM-3) Multiple Family Residence District to "RP" Residential to Planned Unit Development District all that certain property bounded by Murray Avenue, Forbes Avenue, Lot 304, Block 86-F in the Allegheny County block and lot system.	850, 1162
1924	" Grandview Public Realm Subdistrict C certain property identified as 1106-08 Grandview Avenue	1346

BILL NUMBER	SUBJECT	PAGE
Ordinance - Title Nine		
1928	Title Nine, Zoning, Article III, Chapter 902, Section 902.03A. Zoning District Map No. 9 by changing from "R1" ("RSD-2") One Family Residence District to "C3" ("LNC") Local Neighborhood Commercial District all that certain property bounded by Pioneer Avenue, Trelona Way, Lot 80, Block 62-R in the Allegheny County Lot and Block System and Berkshire Avenue, 19th Ward	1346, 1784
Ordinance - Title Ten		
2224	Amending the Pittsburgh Code, Title One - Administrative, Chapter 116: Department of Public Safety, Section 116.03: Minimum Standard of Care	1770, 1857
Ordinance		
1130	Directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum question which would supplement the Home Rule Charter, Section 228, Independent Citizen Review Board by including the Housing Authority, City of Pittsburgh, Police Department	28, 1393

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXIII

January 5, 1999

No. 1

Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, January 5, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

Will you all please rise for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

We have a special guest with us Mark Hirschfeld. He's 12 years old in the sixth grade at Saint Margaret's. He is accompanied by his father, a Pittsburgh City fireman, Jerry, down at Station Five, and he lives in Council District 2, Mr. Hertzberg's District.

Mark Hirschfeld:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you, Mark. We have on behalf of Council a flag of our city and country.

PRESENTATIONS

We have one read and adopted to be read into the record.

MR. HERTZBERG PRESENTS:

No. 1120 WHEREAS, It is estimated that more than \$141 billion will be spent by teens this year and 25% of 18 and 19 year olds have their own credit cards; and

WHEREAS, High school seniors frequently are unprepared for many of the critical financial decisions they need to make after they graduate; and

WHEREAS, Nationally, for more than a quarter century, many Americans have been challenged to save even five percent of their income - in contrast to the 10 percent recommended by the majority of financial planners; and

WHEREAS, The National Endowment for Financial Education, the Cooperative Extension System - USDA, and The Acacia Financial Center of Pittsburgh are sponsoring "Financial Literacy for Youth Month" to encourage educational programs to give young people the financial tools they need to live balanced, responsible and rewarding lives; and

WHEREAS; This public awareness effort will help teens learn about the financial planning process and contribute to their personal financial stability and, consequently, contribute to the financial stability of the City of Pittsburgh;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim January, 1999 as FINANCIAL LITERACY FOR YOUTH MONTH in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

We move to presentation of papers.

MR. FERLO PRESENTED:

No. 1121 Resolution Amending Resolution No. 298, effective June 12, 1998, as amended by Resolution No. 445, effective August 19, 1998, entitled, "Resolution providing for an Agreement or Agreements with various community organizations for operational/

administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,134,945.00" so as to reprogram funds in City Council from Garfield Playground (-\$10,000) to: Garfield Heights Community Advisory Committee (+\$5,000) and District 7 Equipment (+\$5,000). --(SPONSORED BY MR. FERLO)

No. 1122 Resolution amending Resolution No. 291 effective June 1, 1998 as amended by Resolution No. 362, effective June 25, 1998 and Resolution No. 453 effective August 19, 1998, entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1998 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit for the funds in a bank account and providing for the payment of expenses within categories", so as to reprogram funds in City Council. --(SPONSORED BY MR. FERLO)

Which were read and referred to the Committee on Housing, Economic Development & Promotion.

The Chair:

Thank you. There are no other presentations. We will move to unfinished business. Is there any unfinished business

to come in front of Council?

Next on our agenda is Committee Chair Reports. We will be starting next week and I would like to start with Council Districts One and Two next week, Mr. Onorato and Mr. Hertzberg. So you can give a report on your committees next week.

There are no Reports of Committees today.

We will move now to motions and resolutions.

MOTIONS AND RESOLUTIONS

Mr. Onorato:

Mr. President, it just came to my attention a few minutes ago, actually about a half-hour ago, and I just think that as a body we should do something. I am not picking to pick a fight but I think it is the right thing to do.

On New Years Eve, on December 31st, there was a weekly five o'clock mass down at Saint Mary's and I guess because of the mix up with First Night, this city ticketed everybody that was at church.

Now if we are going to try to promote downtown and be friendly, I would ask that and I want to do this in a public forum today, that we ask the police officer or whoever gave the tickets around Saint Mary's at the five o'clock mass to forget their booklet and to let the traffic court judge pull these tickets. Because it was just, these are the streets they park on every single Sunday. It was, I am guessing, I am guessing they were ticketed

because First Night started at four. I am not sure that's the reason. But there were tickets given because there were no parking signs up. I know First Night starts that night, however this really left a bad taste in a lot of people's mouths.

I think maybe we can say hey it was a bureaucratic mix up. But I don't think these tickets should stick. They are \$42 tickets. I am prepared to state publicly I want to give an order to the Chief Magistrate to say this was a bureaucratic mix up based on the First Night timing and that Saint Mary's Church and the patrons that go there on Sunday and Saturday night Mass should not pay a ticket.

I am making a Resolution and have the Clerk send that message to somehow get the numbers that relate to the tickets that were given at five o'clock to six o'clock around the church, if somebody goes in there to waive the fines and fees.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

You mean they didn't tow the cars? They are really being generous.

Ms. McDonald:

Another subject matter. I would like to make a motion to cablecast two Public Hearings scheduled for Tuesday, January 12th at the 2:00 p.m. Bill Numbers 1019 and 1020. They are resolutions regarding tax increment financing for I guess the central business district.

And, Wednesday, January 20th at two o'clock Bill Numbers 1053, 54 and 83 and 84 regarding tax increment financing for the Southside Works Project, two days.

MR. UDIN seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I have two unrelated issues, Mr. President. I don't know if other colleagues wanted to discuss the Public Works situation. I went down to the Complaints Center this morning and thanks to the Supervisor there I got a breakdown of calls that had been made into the Mayor's Complaint Center. I know we also obviously in our own district offices, our downtown offices as well, I fielded some calls in my home over the weekend and there seems to be radical difference in the number of complaints both in terms of icy streets and/or requests for salt boxes.

I find it interesting this year if my information is correct that we dispensed with the usual logistical list that we had been maintaining for many years if not decades as to where the locations of salt boxes should be. In somebody's judgment or wisdom the decision was not to use the list but wait until people called and actually asked for it. Maybe that's a way of cleaning or gleaning a list, I am not sure that was the best way to figure out a reorganization of the salt boxes. I am little upset that we were not notified about that. It would have been a lot easier at least in my Council district given the rapport I have and I think also my other colleagues have with community groups and block watch committees, I think we could have together worked out the issue of the salt

boxes. I don't think it was correct to just dispense with the list and wait for everyone to call and complain. I don't think that's a proper way to figure out the resources of Public Works and the division.

Having said that, the combined complaints as of the last few days to the Complaint Center at least both for salt boxes and/or report of icy streets, is quite an inequity and disparity between the list. If you look at the First Division by their reporting there are 155 complaints. My division, the Second Division is down to 66. The Third Division has 109, and then jump up to the Fourth Division, which has 310 and the Fifth Division 75. There is a radical kind of disparity between the number of calls.

Now obviously some of these divisions contain streets and alleyways and hillsides and problemsom roads maybe to some extent greater. In my own respective Council District which is mostly, which is all in Division Two under the reorganization, most of my calls came from some streets in the Stanton Heights Community and from the Polish Hill Community in particular.

I am not an expert like the Public Works officials about the salt and the problem of the snow and ice for the last week, but having been around the streets for a long time and just observing and common sense, it seemed to be in the early days of the actual snow fall before it got to be ice, if we can follow this, there were a lot of trucks out actually plowing. So in effect, a large number of streets more likely the main roads were actually cleared of snow. When there was a down pouring it seemed as though those first streets once

they were salted before it got so cold that the salt did work, it was all right. The secondary and tertiary streets that weren't really plowed got to be the actual sheeting of ice. So they were beyond the ability to actually plow and remove and then the effectiveness of the salt was not working below 20 degrees.

So in a way we had kind of an unusual compounding of weather and inclement situation and inclement weather but it wasn't at least in my -- I will try to better understand this from the director. It doesn't seem until like last night or yesterday that they decided recognizing that the salt is not going to work that they may have purchased some sand or some other kind of material to give people some traction.

I am not sure exactly all the details. I am not saying we need to have a Post Agenda. We have enough meetings, but at some point if we could have a formal memo from the director and/or Mr. Barley who I heard on the news this morning giving us some appraisals as to what his experience has been over the last week. What is the current situation why there is this kind of inequity and disparity in the number of complaints? I would like to know about the salt box situation because I have had to fill a lot of calls for request of salt boxes and in any other related issues that could kind of bring us up-to-date.

Hopefully as we try to do each and every year, we try to learn from the experience. If I have a street in Stanton Heights like Somerville and it continually never gets done because it is a dead end, can somebody please note that and actually maintain a management? I know God forbid Public Works should ever have a

management information system. It is something I have been asking for ten years and I may as well forego it because neither is it going to appear.

I would ask that we get some kind of response. I am not just concerned about a response from the immediacy of today. I would like to understand from a management point of view what has happened the last week? And what is going to change systemically in Public Works? What is going to be different if God forbid we have another snowfall or ice capade in the next few weeks, which very well might happen? So I would like to know those specifics, but also management wise what is the deployment of resources and what systemically might be changed or improved?

Now having said all that, I also want to say because I was on the streets a lot also in the evening hours, I think the Public Works staff, the truck drivers I think did a heck of a job at least in my Council District. I can't speak, I mostly traveled around in my community. But I think they worked very hard and it is tough out there and the weather situation was bad. I know a lot of them just worked straight through maybe got a cup of coffee. So I do want to thank the staff, both the management staff and the drivers and the laborers, the supervisors and the foreman. I think they put their best effort forward. So I would just like to generally ask for that kind of response.

The Chair:

Coincidentally, Mr. Hertzberg's report is due next week. I would ask him as Chair of Public Works through what you said and I was also curious --

Mr. Ferlo:

I don't want to put Councilman Hertzberg on the spot, it's not his --

The Chair:

I don't mean to put him on the spot, but if he would follow up with Ralph Kraszewski to get the answers.

Mr. Hertzberg:

I want to try to arrive at an objective analysis too. I think it's easy to find people that have complained and it is hard to really know what really happened out there. I know Councilman Ricciardi several times warned us during the fall that he felt there would be major problems this year with the snowfall. He felt that the management of the new plan of shrinking the one division out had caused problems. Whether that's really happened or not, I think we need to objectively analyze. Hopefully we can do that during the next week and hopefully we won't have if at the extent that there are some severe problems, I hope we can resolve them real quickly and I am going to get right on it.

The Chair:

I was actually with a truck I guess Friday or Saturday night, or Sunday night and the gentleman did an excellent job. In fact it was the first time I have seen, he went out of the way to do some scraping where it was solid ice and tried to clean some parking lots and business districts. But I think it was his first, possibly first time in the neighborhood. I was showing him a couple of streets. And the salt, I don't know if the salt mixture was right,

that is an issue. And also call backs, it was a holiday weekend, maybe some people couldn't be reached.

I am curious is there a form or if you know it's a snow day and it's a holiday weekend, is there a number they would call in to see if they are needed? I mean people aren't sitting around waiting for their phone to ring. So I would hope the foreman and the employees would have a direction to at least they would know to call in if they are needed. So, all of those issues should be addressed.

Mr. Diven:

Yes, sir on the same issue. I don't want to direct any of my criticism towards any of the guys that were out working on the trucks; I think they did a fantastic job. I do have concerns like Councilman Hertzberg and Councilman Ferlo as to the management of the department. I can tell you I fielded a number of calls at home over the weekend from people that were saying their street wasn't touched. I know that we had over a hundred calls in my office especially from the Carrick neighborhood, which virtually went unattended to during the storm. It is just not acceptable to myself and I am sure to the other colleagues.

I am anxious to see a report and start to make sure that the next time this happens, the next time we get a major snowstorm that the Carrick neighborhood isn't forgotten about. I think people are going to hold us accountable for why their street wasn't plowed and I don't want to see that happen.

Mr. Udin:

On the same subject. If Mr. Hertzberg might make note of whether or not we can distinguish on a street map what is an A street and what's a B street or what is a C street? If people understood and was able to see perhaps on Channel 17 or whatever the city cable channel is in their area exactly where we are and when they can expect that the city might show up on their street? If they have a grid or a map understanding whether their street is an A street or a B street? And how we determine what is an A street and B street? That we're able to demonstrate to the public that these are objective assessments that are made based on the size of the street and traffic. I would certainly not expect that there are employees although there are some people who called my office thinking that there are certain employees who have the liberty to decide where they will go and which street they will clean and which ones they will not, that's the public's perception. I don't believe that that is the case.

But if we could inform the public more clearly about what the City's strategy and rationale and approach is for cleaning the streets in the snow storm and which is A and B and C, I think that would be helpful as well.

Mr. Cohen:

I just want to follow up with what Councilman Diven said that is that there was not in the neighborhoods that I represent an adequate delivery of snow removal services. There just wasn't and I would like to find out why. I don't know whether it was because of the holiday weekend or whatever. I am certain we will talk to Director Kraszewski today but that just hasn't happened. From what I am

hearing, it seems like there was kind of spotty services around the city. It needs to be more even and I would like to find an answer to that.

The Chair:

It was definitely not even.

Mr. Onorato:

Mr. President, I do want to thank the ladies and gentlemen that have been out there 24 hours working. Obviously there seems to be some problems and we seem to have this discussion every time we have a snowfall at least in the last seven years I have been here. But the one issue that just bothers me that I think we can resolve today and it is a minor one, but it actually turns out to be a big one and that is the salt boxes. I was at a meeting last night and I didn't know that the salt box issue or the redistribution of them were changed again. That was the biggest criticism last night. People wanted my head because their salt boxes weren't there.

I think what happens here if you think about that study that was done, Competitive Pittsburgh Study, while the majority of it was a healthy study to go through, this is one of the problems you have with the study. If you recall in the study they said to eliminate the salt boxes because the amount of salt that was being used can save the city. What you don't measure in a study like that is that these salt boxes are in areas where trucks don't go. If you remove the salt boxes, it isn't as though you save money, what you do is you just then give up on those streets all together.

Those salt boxes represent a

volunteer force out there that you can't even evaluate. Everywhere there is a salt box means there is a volunteer city resident that is going in there on their own time, their own labor, scooping up in a bucket, in a coffee can and throwing it down a steep hill or a pair of steps. We don't replace that service. So any time they removed a salt box, now we are saying basically not only are you not going to have a salt box with salt, we're not coming out to do it either.

Can we at least agree today to get the salt boxes exactly where they were last year in the next 24 hours? Let's ask the Public Works Director to get them out there. It is not that expensive. And the way this typography of this city is, we want our residents to walk out their front door that live on a hill that is like this to throw the salt on there immediately. Let's get them out there. I am in favor of doing it now and putting the boxes back where they should be. It is a great service for the community and we're getting a benefit from volunteer service and labor from our residents who are willing to do it if we give them the salt and the boxes up there. I hope in the next 12 hours those boxes are up everywhere.

Mr. Udin:

Just on the salt boxes.

Mr. Ferlo:

We should remind you not only do our residents pick up the paintbrush, but they also pick up the salt can.

The Chair:

It is amazing and we ought to be thankful that our residents are willing to

do that. I mean they are asking for it.

Mr. Onorato:

Yes we want the boxes.

Mr. Udin:

I didn't want to jump in front of Mr. Ricciardi, but on the salt boxes, I just wanted to remind you some of the recommendations that came to the Competitive Pittsburgh Task Force came from the department. In fact, most of their information came from the department itself. So I know that on the discussion of the salt boxes there were some salt boxes that just stayed full of salt, unused from year to year. It was not a useful, good placement of that salt box.

I would hope that rather than go exactly back to the way it was before, that we would look carefully at where are they being used? Were they desired? And, put the boxes where they're needed rather than just where they were.

Mr. Onorato:

That is fine, I don't mind doing that, but we don't have the luxury now because we have ice on all of our streets. I would rather get the boxes out there and then what Councilman Udin suggested is a good point, at the end of three months, see what boxes are still filled and mark that for next year so you don't put them in those locations. As of today, I need the salt boxes back in my district. I want them back where they were last year, and I want the people to have the opportunity to salt their steps and their streets and sidewalks.

Mr. Ricciardi:

Thank you, Mr. O'Connor. I will be very brief. First, I would like to thank Mr. Ferlo for bringing those numbers forward. But it does show that the neighborhoods that are represented by Councilman Diven and myself have nearly double and sometimes triple the number of complaints of other divisions.

Several months ago as Mr. Hertzberg who chairs Public Works stated, that I had thought that there could be some problems forthcoming and I was hoping that Public Works would begin to address those problems. I know they are preparing a study. But I will have to say, and I need to say that under the previous management supervision in the division throughout the years, I did not have the problem in the neighborhoods that I represent. I am trying to be very cautious with my words because there are a lot of good men and women that have done a fine job out there.

Let me give you an example, when I saw things were going wrong in my division, I immediately contacted Mr. Jack Barley who really began to address the problem. To such an extent that he himself started driving a truck. Now I think that is dedication on his part, but when we have to take a management official, a white-collar gentleman and put him on a truck that shows you that something went wrong.

I want to say that Mr. Barley knows what went wrong. I know what went wrong, I am not going to embarrass the individuals here today. But I know there is going to be disciplinary action taken in my district.

Now, the message I want to send

out to the district that I represent is that Mr. Barley and the other supervisors and the laborers that they are working very diligently over the next few days and we are going to get this cleaned up. And, it goes back to what we all say that the most important service that we can deliver is one that is in the Public Works Department.

I just hope that Mayor Murphy begins to hire those individuals, those vacancies and get them working as soon as possible. But something drastically went wrong in the division that is represented by Mr. Diven and myself and disciplinary action is going to be taken. It is a pity and it is a shame, but I hope those actions are taken immediately. Because I stated before, you cannot take a supervisor, your number two man, your top foreman that has never worked in the Neighborhood District Three that I represent and put them over their because they don't know the typography.

Before we had a gentleman like John Terlecki, John Radcliffe, they knew the Carrick area, they knew South Side Slopes, they knew Brookline, they knew Southside, they knew Beltzhoover. I didn't have these problems. Now we have supervisors, we have foreman that you know everyone always champions this thing of transfers. Transfers are good in the police department, transfers are good in Public Works, I question transfers. I would rather people from the neighborhood that know the neighborhood.

I will compliment Mount Washington, I was in Mount Washington last night, and I will tell you it's clear. The roads I was on, they did a very fine job in

Mount Washington. A lot of people lost work in Beltzhoover, Allentown, and in the Slopes because they can't get off the hillside. I was on Pius Street last night, there was an accident, four cars were in an accident. I hope those people bring a suit against the city. I urge them to. Maybe they will tell us to get on the ball here. Thank you.

The Chair:

My major problem, I just want to mention, was Lincoln Place. We had no problems in Lincoln Place when the County was doing the 31st Ward.

This change in structure thankfully a couple of trucks went up to Gates Manor yesterday and cleaned it up, but it was two days too late.

Mr. Ricciardi:

I want to mention that about Lincoln Place, you know and that goes back to what Mr. Ferlo said that we are not experts in Public Works. Still, I think we have been around here long enough that we really have some productive things to mention. I accept that, Mr. O'Connor. I had thought that during the summer months that my division could have handled Lincoln Place during the summer months, but during the winter months, Mr. Dailey should have handled Lincoln Place. It is just commonsense because of the logistics and travel time.

I hate to say I was right but it looks as though Mr. O'Connor and I, we were right about that.

So I urge the Public Works Department to please at many, many times

they should really listen to some of our advice. We have been around a long time and we know, I always say no one knows our districts better than we do. That includes police officials, that includes the administration, and that includes officials from Public Works and the URA. No one knows our districts better than us. Thank you.

The Chair:

You're right. Next subject.

Mr. Ferlo:

I know we are going to try to get some information for next week but the weather conditions are such that I would ask and they may have already been doing this and I don't know, but especially Polish Hill, Stanton Heights, the neighborhoods that I represent. If there is some attempt to use sand or some other material other than the salt that can give folks some traction since it is not clear that they can actually clear the ice. I would ask that they at least see if that's appropriate and if they can communicate back to Council President or through Councilman Hertzberg, if they can get back to us on some of the immediate issues separate from the longer range issues that were discussed here today.

The Chair:

I would ask that if there are target areas such as Polish Hill or Slopes, I would take Mr. Hertzberg's lead and get him that information so he gets the help right a way. The other areas are fairly clean some of the areas that need attention should be addressed right a way.

Mr. Udin:

No, they are not. Please don't make that assumption that the only areas that need to be cleaned are the ones that were mentioned at the table.

The Chair:

Whichever ones, I would address to Mr. Hertzberg so he can funnel this information and get it done.

Mr. Ferlo:

But hopefully someone has some route slips. Somebody should know generally where trucks have been. It is obvious that some trucks haven't been anywhere at no time with any material. I am not a full time staff person, it's not my job to figure this out, but someone needs to be figuring this out.

The Chair:

All right. Let's let Mr. Hertzberg know --

Ms. McDonald:

We are just jumping in at will it seems today. I would like to also add to Councilman Hertzberg who would convene a meeting that my understanding is that from the supervisors is that they're very short staffed. We can go round and round and pop out the logistics, it is no different than when I was a School Board member and discussing transportation. It's a very complicated issue, it's not easy. It's easy to say this street should have gotten cleaned and that. Forget that, you need to talk to people who have this all on a computer and look at how difficult it is managing it.

I look forward to the discussion because I would like to learn myself. But I would also like for Councilman Hertzberg to bring forward discussion as to the short staffing. Are our divisions short staffed? You can have all the efficiency you want, but if you don't have the manpower, you don't have the people to do the job, I don't care how efficient a system is. It's not going to work. So I think that's going to be a critical point. Are we indeed short staffed? Because legislatively it may fall back on Council to try to resolve that issue in terms of staffing and to redo the budget. I don't know.

But I would like to know as Councilman Ricciardi said if they're going to, when are they going to be hiring people? I would like to know when too and at what level are they at? Are they at so minimum a level that they cannot effectively take care of a snow and ice storm that we had this weekend over the holidays?

The Chair:

We know they are 52 positions short in Public Works. We put it into the budget. So the results are being seen I guess. Maybe in the summer you don't know that but right now you do see it, and they should be filled.

Mr. Ricciardi:

I have a different issue unrelated.

Colleagues, last night I had an opportunity to hold a neighborhood meeting in Allentown and also to attend an Allentown Business Association Meeting. The number one problem that people

continue to bring up to me and we have mentioned it over and over and over and that is some open-air drug markets throughout City of Pittsburgh and also in District Three. It has come to my attention and hopefully the information is wrong to be perfectly frank with this body, but we now have a skeleton crew. We have downsized our narcotics squad.

I hope that information is not true and I would hope that Mr. Diven will have an opportunity chairing Public Safety to ask for a report from Chief McNeilly regarding that matter. Open-air drug markets are just not only detrimental to the neighborhood, but they give a sign of blight. It's a Public Safety issue, it just makes people feel insecure in their neighborhoods. It is just the beginning of additional problems, over and over and over.

It is interesting because most of us and I think all of us we all know where they are occurring. Several years ago I presented legislation that was vetoed by Mayor Masloff that I thought would give the police officers an additional tool to target open-air drug markets throughout the City of Pittsburgh. They have become so entrenched in certain neighborhoods and certain street corners in my own district.

As a matter of fact, several years ago Chief McNeilly did a very fine job in clearing up one open-air drug market in one of my Hill Top communities, but a couple other ones have unfortunately established themselves. I think Councilman Sala Udin had mentioned one corner in the neighborhood that he represents he is having a problem.

So I would like to see several things. I would like to see how we are targeting these markets? Chief McNeilly can please tell us what resources are we giving them in terms of people, in terms of time, in terms of the equipment, and also for the people out there that are screaming for help? Hopefully our Weed and Seed money is going into prevention type of programs. Those are people who really are asking for help, not those people who are trying to escape jail terms and are willing to go into a program in order not to be sentenced to a jail term.

I realize we can't just be cranking people into the court system, putting them back out onto the street where they are doing the same thing. But maybe there are some people that are really out there looking for some help and we can look into using the Weed and Seed Program for those individuals. But I think there is definitely a problem out there and I am just surprised that we are not doing a better job targeting these street corners and breaking up their sophisticated -- and it has become a sophisticated drug sales throughout the City of Pittsburgh.

I really hope that Chief McNeilly and Executive Assistant Tom Cox can let us know what is the program? What are their ideas on this and how are they addressing the issue? It is bad out there and in certain neighborhoods they are suffering more than others. I mean drugs are prevailing through all segments of society and all neighborhoods. But the people that are sort of hiding it and doing it behind closed doors, we are not being effected as much as those individuals that are doing it out on the street corners and those individuals that are doing it out on street corners should be the easiest people

to, I would think, to arrest, to put into the judicial system. Either to get them help through prevention or to actually get them jail terms.

So maybe, Councilman Diven, if you could look into this and let's see what Chief McNeilly says in terms of resources. Hopefully it is not true what police officers have told me that he has taken several people out of the squad and is putting them back to patrolling the neighborhoods just in cars. I hope that's not true.

Mr. Udin:

I am glad to hear other Council members speak on the issue of open-air drug markets. I have been singing this song for years on this Council. Sometimes it feels like I am the only one who feels the pressure of the problem.

It is a question of, I think, resources and strategy. I don't think this city has either a plan that is an aggressive attack nor the resources to implement that plan. We have not raised it up to the level of priority that is necessary to generate that kind of an attack. As a result, we have built up kind of a tolerance for open-air drug marketing as long as it is in certain neighborhoods. For me, it is unacceptable and I think that if this Council makes it a high enough priority, then the administration will make it a high priority and the law enforcement agencies will make it a high priority. But it is not just the Chief of Police. It will require a comprehensive strategy on the part of a number of law enforcement and judicial bodies in order to make it work as well as social service agencies necessary to make it work.

But we have to decide what kind of city are we going to be in. Are we going to be a city that tolerates certain pockets of open-air drug marketing? Or are we going to have an aggressive attack against a zero tolerance posture against open-air drug marketing?

I would be the first to join with you Councilman and any other Council colleagues who want to help develop a strategy that is effective against open-air drug markets.

Mr. Ferlo:

No way do I want to convey to my residents or my constituents that I haven't been rigorous and vigorous in this battle for the last ten years. I recognize that we still on a citywide level have critical areas as Councilman Udin has rightfully pointed out. But I am not willing to accept and characterize at least involvement relative to my district as not being responsive.

Not only myself, my staff, but more importantly neighborhood block watch groups, community based organizations, COP officers, the zone officers, the squad cars, you name it, we have tried to work very diligently on this issue of drug trafficking. Not only in an open-air area, because it has happened in my Council district at least during my tenure. We also have had problem in nuisance houses. We have got crack houses. We have had certain intersections where it has been more prevalent all of which we have had nuisance bars, which have been a focal point.

I am pleased to see the leadership of Councilman Udin on one similar bar that we had in the Lawrenceville

community; it took five years for the LCB to close. We had a lot more information than apparently on the surface has been available so far with Mr. Udin's battle. So, I agree with his characterization that there are critical areas throughout the city. I am not willing to accept that people haven't fought back. I think we have fought back. I think the issue is how do we work more effectively and how do we maybe better coordinate the resources that we have out there? Because I think to some extent his observation is correct.

It was one of my initial criticisms of the Weed and Seed Program when it was first introduced in the Hill District community. It seemed to me that even though we targeted one area it was going to basically be transported or moved up to the Public Housing Authority communities. In effect, that is what happened now. It seems to be back where it was any ways despite the fact that we had a four-year or maybe longer Weed and Seed initiative.

So I look forward to the discussion and I think Councilman Udin's point that there are other levels of the problem. I mean one of the things that has frustrated many of my block watch folks and residents is to see effective police work and arrests only to see people out on the street the next day. So, this is a broader problem that we need to have a discussion on. Maybe we want to, you know, involve some other levels from the judiciary to other levels of people that have something to do with the problem.

I don't think it is just the issue of the community and the residents and the police and Chief McNeilly. I think we need to try broadening out the discussion.

Mr. Diven:

Yes, sir. I have had a number of meetings with our District Attorney Mr. Steven Zappala and talking about this issue in particular. One of the things that I get a sense though from our own department is that we are not making it a priority that we should make it. I know that there are a lot of resources out there that we can tap into, but for whatever reason we have got kind of an attitude, our department has kind of an attitude that like that's something we are going to do. We are going to do it in the future. We are going to do it in the future. There hasn't been any sign to me that there was intent to go out and attack this problem head on from the administration of our Police Bureau.

I have had probably about four or five meetings with Mr. Zappala. I have had meetings with people from our Building Inspection because one of the things that I thought we needed to be doing not only bringing our law enforcement part of the equation to the table, we also need to be looking at taking down some of the condemned houses that are right in the direct vicinity of some of the open-air drug markets. So that when the police come in and make a presence that drug tread doesn't move from the street into an abandoned, vacant building that has been slated to be taken down, but for whatever reason because of the backlog has not been a priority for our Building Inspection to take down. And that's the kind of thing we need to put together.

I think we had a conversation during the budget where we talked about bringing all the players on the same page

and getting them to work in unison together with each other. I have been pushing for that since earlier last year. As of this point, I am not satisfied with the response I have gotten from our city department. So I think we can make a lot of ground up and do a lot of good things provided they make it a priority and follow it through.

Mr. Ricciardi:

Just in closing, two items. I agree with my colleagues regarding we need a plan of action and we have to bring all the players involved including District Attorney Steven Zappala who was kind enough yesterday to attend my neighborhood meeting.

But just in closing, I would like to make a motion that our City Controller does a full scale audit on the Weed and Seed money that has come into the City of Pittsburgh, which I believe now is over one million dollars and the success of the program.

I have received some information and I find it very distressing if it is true that some of the Weed and Seed money has been going for such marketing items as banners, as pizza parties, T-shirts, uniforms for baseball teams. If that information is correct, I am very disturbed about that. Because that Weed and Seed money was supposed to do two things. Number one, enforcement and number two prevention programs. Prevention programs, helping people, enforcement, getting people into the judicial system, getting people behind bars, not for pizza parties, not for uniforms. If that information is true, I am going to be very disturbed and I am going to contact federal

authorities after we do our audit.

I would like to make a motion to City Controller Tom Flaherty to perform an audit on all Weed and Seed money here in the City of Pittsburgh.

MR. DIVEN seconded the motion.

Which motion prevailed.

The Chair:

I would like to take a few minutes first to congratulate Mr. Ferlo on an excellent Christmas Party last week.

Mr. Ferlo:

Holiday Party.

The Chair:

Holiday Party. You really packed the place. And we certainly want to congratulate our Man of the Year, Mr. Udin. He looks like he should be a high school principal maybe on this picture if we don't get the kids to school on time.

I have a little quiz for Council members. I was curious if you wouldn't recognize any of these names. John Moore, Robert Sheehan, E. F. Roush, James W. Jack, any of those names familiar yet? These two might spring a better hint for you, W. A. McGee, Constantine Gallagher. Please pass out the answers for my colleagues.

This was the first City Council of the century and back in 1900 we actually had two Councils. One a Select Council, 35 members and a Common Council 35 members. It was the 80th Council of the

City of Pittsburgh and actually, ladies and gentlemen, it did not include the 130,000 residents of Allegheny, the city of Allegheny, which is now known as the North Side. So we had 70 members of Council the first in 1900 that was the first Council of the century. If you haven't realized we will be the last Council of this century and there are only nine of us. So actually from 70 to 9 that is pretty good productivity, I guess.

Mr. Udin:

Ferlo wasn't on that was he?

The Chair:

Actually I have the books that were the history of it. Where they didn't have computers, so we still have the books from two Councils right here in front of us. The one is just about going to make it, I don't know if it will make it another 100 years.

Mr. Onorato:

I notice in the minutes, Mr. President, they talk about the installation of salt boxes.

The Chair:

Since this is the last Council of the century --

Mr. Ferlo:

I don't like the way you say that, Mr. President.

The Chair:

Of this century, we're getting old, Jimmy. If you realize looking around we have in this Council itself we have 65

years of experience on Council together. I think it's an exceptionable Council, and I am very honored and proud to have served with all of you and most of you for eight years.

There is a little sad part of it, because two of us probably won't be here next year. We will be running for other offices and I feel strongly that those two will get elected. So we will have a newer at least two new members next year to start the new millenium.

Oddly enough to how our Council has changed, one of the reasons I ran for Council eight years ago was when I looked at the Council of '90, '91, no one had children at least of high school or grade school age. So I kind of didn't feel represented. Now you look at Council, there are two kids, three kids, Ms. McDonald has three kids, Mr. Onorato when I met him he had a little baby, now he has three, you have one. I know I have three kids, but I have two grandchildren so we have our own way of growing the city now. So I think Council has really changed.

There are a couple of areas I feel that really need our attention and I would like to focus on this year because I think it is very, very important. Financially the city has had problems for as long as I can remember, at least the last 15 and 20 years. I think we have to bring that to a head as we struggle through each budget time we don't want to go into the next century with the same problems.

So actually, Mr. Sala Udin our Finance Chair has already started. He's formed a Tax Restructuring Committee, which has business and government leaders, members from the Universities,

putting his head together and has a committee trying to restructure and see what our future tax structure should be to pull us out of these lasting problems. I believe with Scott Kunka, his new assignment should really be to assist you full time at this and Chuck Crawford his assistant. We look forward to that and, Mr. Udin, I would ask you to do it by-monthly report on your findings and where we are and where we are going with that committee.

Secondly, I have heard from many of you especially during budget time of the growing Public Safety costs, especially in the Fire Bureau. I have asked Michael Diven who Chair's our Public Safety to chair a committee and looking at merging our Fire Department and our EMS. I think we have to sit in a room and start pounding this out. Other cities whether it be Phoenix, San Francisco, we seem to be one of the last of the cities holding on to the old structure. I know there are problems and it won't be easy. But I think we will never solve the problem unless you get everyone in a room and start talking about it.

I have talked to the two chiefs and the two union representatives and they are certainly willing to assist you and start pulling this together. And I want to make it perfectly clear we have probably the best EMS and best fire service in the country. Our goal should be to have a better or higher quality service and a more efficient price. That's the only restrictions I would put on it. I would support it as long as those things and it was more beneficial to our constituents.

The Cable Bureau, our TCI contract is up in October. We have been

off and on talking about it for a couple of years. It is going fast and I have the utmost confidence in Mr. Cohen who chairs that to roll up his sleeves and report to us again on an at least by-monthly report where they are. Whether it is not going well or it is going well, whether we have to hire outside consultants, whatever because you have championed TCI for the last few years and we can't find ourselves in October throwing up our hands.

Also, I have been meeting with most of you one on one, I want to make better use of our cable system. I think it is a great tool. I think we can use it better to meet and address issues with our constituents and bring in guests however we want to form it. But I think it's a tool that we have to use to make our city much better and all of us can benefit from it.

Next, I know Council will continue I think quality of life has been an issue since I have been here. I know each and every one of you addressed those on a day to day basis. When anybody ever questions Council or the Mayor's Office or whatever I say well I think this Council is worried about their district has major concerns and just hearing the last hour whether it be snow removal, drug problems, refurbishing of the street face program for businesses, parks, soccer fields, swimming pools since Parks and Recreation go under zoning, this Council has done an excellent job and I know we will continue to do that.

Finally I would like to take something on myself with all of you. I believe we have to start building better bridges with Harrisburg. So that will be something I want to take a lead on with all your support. This is something that's

been neglected for many, many years. We have set a meeting up next Thursday at the Sheraton for breakfast meetings with us, the Allegheny County legislators and the State Senators. Also, I have invited the School Board. I have met with the new President Ron Suber and he is very supportive of this initiative.

Education is probably the most important thing that faces us as a city. It determines where, whether you are going to live in a neighborhood, whether you are going to raise your family in Pittsburgh or whether you are going to move out. Unfortunately a lot of people have been voting with their feet. The schools are a major, major issue. I know working together we can start resolving some of the issues. We don't want to run the schools, we don't want to run the School Board, but if we are going to grow our city whether it be infrastructure, Nine-Mile Run, highways, schools, we need a partnership with Harrisburg. That money to make our schools better and to make our lives better here depends on our relationship with Harrisburg. So that will be a very, very important meeting. I think it is going to be open-minded.

I have asked Mr. Udin and Mr. Suber to start the agenda with clearly a budget address to the legislators what our budget concerns are. What the School Board budget concerns are and as Harrisburg goes into their April, May, June deliberations on their budget that they will know where we are and try to form a partnership. This isn't about Plan B, it is about our whole city and our region.

So those are some of the initiatives and certainly we want to continue the good work we have done on all other aspects.

But I believe we have come a long way together and Pittsburgh is a better place for it because of it and because of your efforts. I look forward to making this year the last of our century with exception of one for this City Council.

Mr. Udin:

I want to congratulate you, Mr. President, on the fine leadership that you have provided to this Council following in the footsteps of our President Emeritus Ferlo and tell you how pleased I am to hear you laying out a structure of goals and priorities for the coming year.

I think it is critical that Council begins to function independently as we have discussed with a clear set of goals and objectives and priorities that are citywide. That we have a clear legislative agenda for Harrisburg under your leadership and you can rest assured that I will certainly be as helpful and committed as you are in pressing forward this agenda for Council. Thank you.

Mr. Ferlo:

Mr. President, I have another issue but I do want to say and embellish Mr. Udin's comments. I think you're off on a great footing for the New Year if not the next millenium. I certainly want to join and help you in any way. We had a good discussion yesterday about the Cable Bureau and how we can better utilize the cable forum for Council. Make it more interactive, make it a forum to discuss topical issues, make it a forum to educate the public about what is going on in the city to involve their input on strategic issues that this Council is confronted with. Anything I could do to be helpful I would

like to join in to support the initiative. So I want to thank you.

The Chair:

Maybe I didn't mention, Mr. Udin, Mr. Diven, any of our committees are certainly open to all members without naming committees. So it is a very open-minded body and certainly thank you for your support.

Mr. Ferlo:

I think as a follow up too, I know when we traveled to Harrisburg and during and prior to the holidays right after the debacle I guess you would call it that the administration with the stadium situation, we met with Mr. Dewesse and Mr. Veon and others. I thought it was a great meeting but all of us on this Council have for and relationships with the elected delegation and I think your idea of involving them more and meeting with them face to face is a step in the right direction.

I know each and every colleague can be very helpful in that communication process with the delegation and from our respective areas. So, I think that is a step in the right direction. Anything we can do to continue to explore that, but I would ask that we take up for discussion this year Councilman Udin's concern that he raised during the budget deliberations with Mr. Kolling. That is the idea that this Council might want to entertain the hiring of our own individual or firm. I am not sure what form it would take to act as a lobbying representative for us on strategic issues in Harrisburg and DC. I would hope that maybe through this discussion we could bring that back up again. I have an

unrelated issue though.

Mr. Cohen:

Very briefly, I want to thank you also for laying out some very important priorities for 1999. As far as at least in my tenure that has not been done before and I welcome it. I appreciate it. In fact, what I would ask you to do if you would consider it, is to put your remarks in writing or at least the priorities that you laid out in writing, circulate them to other Council members and perhaps give them an opportunity to add a couple of others. So that we really do begin the year with a Council priority list. Which is not to say that other issues won't come up that we will react to or maybe even have a proactive posture on. But I think it would be helpful.

I think focus our minds on what is important for the future of Pittsburgh to have a list of priorities obviously non-binding, but a list of priorities that we all can agree to and maybe even sign on to. So I appreciate that.

Just briefly, with respect to TCI, I have long of course been an opponent of TCI's rates and services thinking that they have been insensitive to our customers. We now enter into a new type of situation where we have to negotiate with TCI. We are going to have a transfer issue to AT&T. That is going to happen this month and there also, of course, is going to franchise renewal, major franchise renewal and negotiations. I assure you that we will be tough and we will try to get as many benefits as we can for the city. I look forward to talking to every Council member individually on this issue.

In my view the whole issue of franchise renewal and telecommunications in Pittsburgh is as important as Plan B is to the economic development of Pittsburgh. Because when you hand out this municipal record from 1900, back then they were talking about building roads and bridges, we need to build a telecommunications system that will allow us to exchange information in commerce in a way that will really allow us to compete into the next century. So I appreciate your words and your allowing me to chair that committee. Thank you.

The Chair:

A agree with you. I have it in writing. I will give you copies of it and any other priorities. I think it is a good way to keep score so we feel good about ourselves and try to accomplish things.

Mr. Ferlo:

Mr. Chairman, I know the hour is getting late I will try to be brief. I am submitting legislation next week so I just want to summarize the concern today. We have an existing ordinance that has been on the books for a good number of years that is inequitable, it is antiquated, it is unenforceable, it is counterproductive, it poses a financial hardship, it stifles small business and entrepreneurs, it is prejudicial, and it is down right Neanderthal. It is called Chapter 719 Vendors and Peddlers.

I have been working on an ordinance, actually I am a little bit upset because the straw that broke the camel's back was an article in the paper regarding a food vendor in Market Square from Beaver County. A farmer who has come

in at the request of the Downtown Partnership or the Market Square Association. I applaud him, I think it's great to have a food vendor in Market Square. I am personally upset that it happens to be somebody from Beaver County when there are a lot of home grown entrepreneurs that wanted an opportunity to have a vending cart there. It is completely illegal.

The administration can say through power and through influence that they have given this individual the prerogative to be there. It is a violation of the city code of ordinances. It just brings home a problem that exists with the ordinance. We have a completely unfair ordinance that needs to be changed. I would ask that until my bill is introduced next week, until we resolve this matter, that we have a moratorium and a suspension of enforcement in citations for that chapter of the city code, that Building Inspection and Public Works to some extent enforces it is completely unfair. It is not only unfair flagrantly with the Market Square situation, it is unfair with Mr. Bonisore (phonetic) in Oakland who not only occupies and illegally the corner but also takes some 24-hour basis and I don't know how. I don't know whom he is paying or making contributions to, but he has two big parking spaces with big step vans there. I don't know how that happens.

We have the East Liberty situation; I can list you about 20 examples where the situation is completely unenforceable. I feel sorry for BBI and the inspectors because they have no way of enforcing this ordinance. There has been special treatment. Words don't describe how upset I am about the way this is done. I think we need a progressive ordinance in

this city that allows vending opportunities at strategic appropriate locations. But I think it should be fair and equitable for everyone to have a shot at it. I think it should be done with some thought and I think it should be done with some income to the city.

I am resentful over this past week with the food vendor now appearing in Market Square, I can remember an African American gentleman that I tried to help in East Liberty. This is back even before Councilwoman McDonald's tenure, I am going back eight, ten years ago. Who was continually harassed. He had a food cart. I mean I think of him everyday. I thought of him when I read that article in the paper with this farmer from Beaver County showing up in Market Square. I thought wouldn't it be nice if this guy had that food vendor cart since he was harassed for ten years down in East Liberty. I know BBI will remember the gentleman.

I am only saying what we have is just terrible. It is unfair. I don't even know -- the words don't describe how upset I am about this. I have a draft of an ordinance I am going to submit something next week to get it into the books for public debate and discussion. But in the mean time, we should not be issuing any citations and chasing anybody off the street because it is not fair. It is prejudicial. As far as I am concerned, if I were a food vendor I would be down there today in Market Square, if I could sustain the cold. But it is completely unfair that this farmer from Beaver County Market Square with some covey out of approval by whom I don't know. It didn't come through this Council. It is a violation of the code of ordinances.

I am saying suspend any citations. As far as I am concerned, it is fair game for anybody to be down in Market Square selling anything. Having said that, I will be introducing an ordinance next week and I would ask that we get a public debate and discussion on this whole issue.

The Chair:

I apologize; I see at least two hands up.

Mr. Ferlo:

I have nothing against Beaver County by the way.

The Chair:

I see at least two hands up and I have to be a Pallbearer at a friend of mine mother's past away and I will turn it over to Ms. McDonald.

Mr. Ferlo:

I apologize for taking so long.

(Ms. McDonald took over the Chair)

Mr. Ferlo:

I am done.

Mr. Udin:

Same subject, Ms. McDonald. I have been working since November with Solicitor Craig Straw on an ordinance that would amend the vending code in the city. My immediate focus was downtown, but I would be glad to join with Councilman Ferlo in co-sponsoring perhaps a bill that would change the vending practices in the

city, update them and make them more modern. I am surprised that Mr. Straw did not bring that to Mr. Ferlo's attention. But I have been, it has kind of been on the back burner in the Solicitor's Office, I have been pushing for them to come forward with the Solicitor's legal views on the matter.

So I would look forward to working with Councilman Ferlo on this matter and hope that the Solicitor's Office is able to move this item closer to the front burner.

Mr. Ferlo:

Let me make it clear, when Mr. Straw left me, I made it clear that if he wanted to be a successful assistant city solicitor he should do one thing and that is to maintain confidentiality when he is working with colleagues. He has done that since the day he left.

Mr. Hertzberg:

Thank you. I would be very interested in working with Mr. Ferlo and Mr. Udin on this. Over the years I have received a number of complaints about vendors both downtown issues, telephone calls, letters and also Grand View Avenue, Mount Washington and the complaints are a variety of different things. People that want to be vendors, and can't be vendors. Merchants that have fixed locations that are paying every kind of tax on earth and that are competing with vendors that aren't licensed, and don't pay any kind of taxes and just spring up overnight.

So there are a lot of issues here and I got to agree, whatever is on the books is not working at all. It doesn't seem to be

fair, it doesn't seem to be eliminating the problem, so I want to commend both Councilman Ferlo and Udin for bringing this up and I look forward to being able to come up with some practical solutions to the problems and getting it in place.

President Pro Tem:

Thank you. We look forward to that. Just to add to Councilman Ferlo is that I too would like to join the situation as far as street vending. In East Liberty it has not disappeared and it does go back way before my tenure here on Council. The problem that I find is that if you do rewrite the ordinance the vendors in East Liberty are African American they don't live in Fox Chapel, they are a very modest means that they have and they are just trying to eke out a living. Sometimes you know living from hand to mouth you know day by day.

So you don't want, I did not want to address a legislative piece that would target them. So what I have been trying to do is work with Commander Bryant at Zone Five and the vendors and East Liberty Development, and East Liberty Business Association and East Liberty Chamber of Commerce to get everybody on the same page, to try to work out some amicable resolution to this. And, thus far it has been I would say it has done a lot. But it is still not solved.

So again, we are dealing with the vendors in East Liberty. In fact the URA has committed to helping financially to assist the vendors to be able to live up to the code, to have carts that have wheels on them, to have some type of facade so that it would look more like a welcome to East Liberty than just we are on the street trying

to sell our wears. So, again between police, between the businesses we are trying to work it out. But I agree with you that there needs to be a total overhaul of some kind.

I appreciate your leadership on that and, again, I think that this is one case where all Council members are all singing basically the same tune. So I think that this needs to be a piece that maybe all Council members can co-sponsor taking the lead of Councilman Ferlo. So, I would appreciate also discussing that with you since it would help our area as well.

Now lastly, our City Clerk had asked me if you would want to make a formal resolution on a moratorium of enforcement of that ordinance.

Mr. Ferlo:

I don't know how my colleagues feel, but I feel very strongly that what we have is completely inequitable and cannot really be enforced. I think it is unfortunate if there are any citations being written. And, as far as the gentleman and I know a number of the African American vendors in East Liberty, if I were them I would get a food cart and I would be right down in Market Square making some money.

President Pro Tem:

So is there a formal motion to place a moratorium on the ordinance.

Mr. Ferlo:

I would like to ask that we send an advisory memorandum to the administration asking them to consider a moratorium.

Mr. Cohen:

Point of order. I am not sure, I maybe wrong here, I am not sure we have the legal authority to put a moratorium on legislation. I would be very receptive to Councilman Ferlo's bill and reading it and considering it. But if it is on the books, I am not sure we actually have the legal -- I have never seen before whether we have the legal authority just to say arbitrarily that we can enforce some laws and not others. I think the better way to do it is rewriting the legislation.

Mr. Ferlo:

There has been sometimes when we have done a moratorium on ordinances, but I think what is more important is that we convey the discussion here today by Councilman Hertzberg, Mr. Udin and everybody who spoke and convey that discussion to the administration and to Chief Cimino. I think that would be enough for them to respond to the concern.

President Pro Tem:

Thank you. Okay. There is a way; there is a correct parliamentary way of doing this but Councilman Ferlo, what is your will?

Mr. Ferlo:

I think it is more important that we convey the discussion that just took place to Chief Cimino and the Mayor and elicit their response to this issue of the enforcement.

President Pro Tem:

So, ask the City Clerk to draft some correspondence to that effect.

Mr. Ferlo:

And certainly anybody who has to appear before a city magistrate can take this discussion. I don't see how any judge can rightfully enforce the ordinance.

President Pro Tem:

Thank you. Any other business under motions and resolutions?

Mr. Cohen:

Having said that, any one who is willing to stand out there today in five-degree temperature to sell anything, probably shouldn't have to sustain any penalties.

President Pro Tem:

You bring up a good point, Councilman Cohen, because that is the one area that would resolve the problem in East Liberty. Many of these individuals do not want to be in inclement weather whether it is raining or snowing or just plain cold out there. It would be good to have an incubator, some type of facility they could go inside. But again, that is money.

So, any other discussion under motions and resolutions?

Need a motion to approve the minutes.

MR. ONORATO moved to approve the minutes.

MR. DIVEN seconded the motion.

Which motion prevailed.

MR. ONORATO moved to adjourn the meeting.

MR. COHEN seconded the motion.

And with the motion made by Mr. Onorato, the meeting adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXIII

January 12, 1999

No. 2

Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, January 12, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

All please rise for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

We have a very special guest, Shane Fuga. He's 11 years old, in the fifth grade at Phillips Elementary School. He is being accompanied by the school librarian Jackie Kimmel. They reside in Councilman Ricciardi's District Three.

Shane, will you please lead us.

Shane Fuga:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you, Shane. You had quite a chorus come with you. We have a very special presentation for you, a flag of our city and country. Mr. Ricciardi, please come up with us.

As you may have heard, we have a couple of other special guests. If Council members will turn around, I believe we have some special children from Woolslair School. Councilman Ferlo's District and they are visiting today as part of a Kids Around Town Program sponsored by the League of Women Voters.

This program includes the students to the positive role of city government, introducing them to the positive role of city government of Pittsburgh. Early this morning they gave a special award to our President Emeritus, Jim Ferlo. We are going to redo it actually so the whole city can see what the kids are doing and show their appreciation for Councilman Ferlo. You want to show your signs?

Children:

Good morning, Mr. Ferlo. We are

the second graders from Woolslair's Elementary School. We are here to thank you for helping us to get the guardrail installed in front of our school.

Because of this guardrail, we are much safer than before. The cars and buses that drive by are less of a danger to us.

We are also beginning to understand about how our local government works. We are learning that we can make a difference when we see things that need to be changed.

We also want to let you know how much we enjoy marching with you around our school, saying go slow, go slow.

We would like to present you with a certificate that shows our thanks. We also have a picture of us by the guardrail for you.

Now we would like to present words about you using the letters in your name.

J is for jolly.

I is innovative.

M is for moral.

F is for fairness.

E is for exploring.

R is for responsible.

L is for lawful.

O is for outgoing.

When you put all of those together,

what does it spell?
Jim Ferlo.

Thank you for helping us, Mr. Ferlo.

Mr. Ferlo:

First on behalf of Council President Bob O'Connor and all of my colleagues up here. Councilman Diven, Councilman Hertzberg, Councilwoman McDonald and Councilman Onorato and Councilman Ricciardi who is also, here we want to thank all the students from Woolslair and especially the League of Women Voters also for your democracy project. We thank you very much.

I know Councilman Onorato has been gracious in the past to work on this in the North Side schools and I know my other colleagues will be working with Mrs. Murrin and others from the League on the democracy project.

We had a little session here earlier today and many of the students were curious about the building and the table and the media and the lights. We answered a lot of questions.

They're doing a great job at Woolslair School. We want to applaud the principal Mr. DiPucci and the teachers and the administrators, but I especially want to say a warm hello and a thank you to all the great students that took the time to come down here today. I am very honored at this award. I want to thank Commander Costa from the Police Bureau and Assistant Deputy Director Mr. Booker from the Department of Public Works who helped resolve some of the safety issues at Woolslair School. So thank you very

much and God bless you all. Thank you.

The Chair:

You want to come up here so you can get a picture with the Councilman? That was a great presentation.

Mr. Ferlo:

Thank you, Mr. President. We will take a group shot.

The Chair:

We have one read and adopted.

PRESENTATIONS

MR. COHEN PRESENTS:

No. 1123 WHEREAS, Shadyside Concerts, now celebrating its 18th Anniversary, is led by Artistic Director Charlotte Day and is Pittsburgh's leading chamber music series; and

WHEREAS, Shadyside Concerts features many of our area's finest professional musicians, including members of the Pittsburgh Symphony as well as young musicians from Carnegie-Mellon University and Duquesne University and ;

WHEREAS, Shadyside Concerts are held in the First Unitarian Church in Shadyside, a setting that offers exceptional acoustics in space ideally suited for chamber music performance, and is in the process of being made fully accessible; and

WHEREAS, Shadyside Concerts, a non-profit organization, offers affordable

admission to its ten scheduled concerts, which makes these performances available to a wide audience; and

WHEREAS, Shadyside Concerts is planning to expand its mission of serving the local music community by sponsoring a competition for local high school string quartets; and

WHEREAS, Shadyside Concerts is celebrating its 18th Anniversary this year.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends and thanks Shadyside Concerts for 18 years of providing Pittsburghers with the opportunity to hear performances by the City's finest musicians in a unique local setting.

MR. DIVEN moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

MR. COHEN PRESENTED:

No. 1124 Resolution approving the transfer of ownership of the City of Pittsburgh cable communications from Tele-Communications, Inc., d/b/a TCI of Pennsylvania ("TCI") to AT&T Corporation (AT&T) as a result of TCI's pending acquisition by AT&T.—
(SPONSORED BY MR. COHEN)

No. 1125 Resolution providing for an agreement or agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts, and for the purchase of materials, supplies

and equipment and/or services in connection with the Renovations and Maintenance of Various Public Buildings; and providing for the payment of the costs thereof, at a cost not to exceed \$50,000.00.

No. 1126 Resolution providing for an agreement or agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts, and for the purchase of materials, supplies and equipment and/or services in connection with the Renovations and Maintenance of Various Public Buildings; and providing for the payment of the costs thereof at a cost not to exceed \$65,000.00.

No. 1127 Resolution providing for contracts and agreements or the use of existing contracts or agreements for the purchase of equipment, materials, supplies and services, for rehabilitation and removal of under ground and above ground storage tanks and providing for the payment of the costs thereof, at a cost not to exceed \$700,000.00.

No. 1128 Resolution Authorizing a Cooperation Agreement or Agreements which provides for the transfer of funds not to exceed Four Hundred Eighty Three Thousand Six Hundred Eighty Dollars (\$483,680.00) to the City of Pittsburgh Equipment Leasing Authority for the purchase of vehicles, radios and equipment for use by City of Pittsburgh Departments and Authorities.

No. 1129 Resolution Authorizing a Cooperation Agreement or Agreements which provides for the transfer of funds not to exceed Three Million Seven Hundred Sixty Five Thousand (\$3,765,000.00) Dollars to the City of Pittsburgh Equipment leasing Authority

for the purchase of vehicles, radios and equipment for use by City of Pittsburgh Departments and Authorities.

Which were read and referred to the Committee on Lands, Buildings and Procurement.

MR. FERLO PRESENTED:

No. 1130 An Ordinance Directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum question which would supplement the Home Rule Charter, Section 228, Independent Citizen Review Board, by including the Housing Authority, City of Pittsburgh, Police Department. --(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance and Budget.

MR. HERTZBERG PRESENTED:

No. 1131 Resolution further amending Resolution 87 effective March 13, 1996, as amended by Res. No. 263 of 1997, effective May 22, 1997, entitled: "Resolution providing for an Agreement or Agreements with various community organizations for operational/ administrative expenses maintenance, purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$108,000.00, chargeable to and payable from Code Account 1805 (180505) Miscellaneous Services, Recreation, in the Department of Parks and Recreation." By changing Southwest CDC for Broadhead, Fairywood, Westgate Assoc. \$2,000.00 to

read Oakland Westwood Athletic Association \$2,000.00 and Westside Youth Committee \$2,000 to Windgap-Chartiers Athletic Association \$2,000.00. --
-(SPONSORED BY MR. HERTZBERG)

Which was read and referred to the Committee on Parks, Recreation and Youth Policy.

MS. MCDONALD PRESENTED:

No. 1132 Resolution Directing the City Law Department, Department of Personnel, and the Civil Service Commission to report to City Council on the feasibility and cost of performing an investigation of civil litigation on applicants for City of Pittsburgh police officers, in addition to the standard criminal background investigation. ---
(SPONSORED BY MS. MCDONALD)

Which was read and referred to the Committee on Finance and Budget.

MR. RICCIARDI PRESENTED:

No. 1133 Resolution Providing for a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh for the administration and implementation of the "Central Relocation Agency" at a cost not to exceed \$148,800, chargeable to and payable from the 1998 CDBG Program "Central Relocation Agency," Account #566402, Fund #2610, Organization #810000, Subclass C-1998, Project #2215888, Budget Year 1998. ---
(PRESENTED BY MR. RICCIARDI & MR. UDIN)

No. 1134 Resolution Providing for a Cooperation Agreement or Agreements

with the Housing Authority of the City of Pittsburgh for the administration and implementation of the "Central Relocation Agency" at a cost not to exceed \$350,000, chargeable to and payable from the 1999 CDBG Program "Central Relocation Agency," Account #566402, Fund #2610, Organization #810000, Subclass C-1999, Project #2215888, Budget Year 1999. ---
(PRESENTED BY MR. RICCIARDI & MR. UDIN)

Which were read and referred to the Committee on Housing, Economic Development and Promotion.

MR. UDIN PRESENTED:

No. 1135 Resolution Authorizing the Mayor and General Services to enter into an Agreement or Agreements with Laurel Bank to enable them to place an ATM Machine in the Pittsburgh Municipal Courts building located at 660 First Avenue, Pittsburgh, PA 15219.

Which was read and referred to the Committee on Finance and Budget.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bill until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. FERLO seconded the motion.

Which motion prevailed.

Also,

No. 1136 An Ordinance amending the Pgh. Code, Title Six, Conduct, Article I, Regulated Rights and Actions, Chapter

617, Smoking Pollution Control, Section 617.04, Prohibition of Smoking in Public Places, Subsection 617.04(a)(14), Underground transit stations, to allow eating and drinking within the confines of designated areas within underground transit stations. **—(SPONSORED BY MR. UDIN)**

Which was read and referred to the Committee on Planning, Zoning & Land Use.

No. 1137 Resolution authorizing the sale of City of Pittsburgh owned property in the 25th Ward, 401 Catoma Street, designated as Block 23 G, Lot 366 (part), to Peter L. Hervoyavich and Kathleen Hervoyavich, his wife, for the sum of \$100.00.

No. 1138 Resolution repealing Resolutions, approved on various dates, authorizing the sale of properties in various wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

No. 1139 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

No. 1140 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were read and referred to the Committee on Finance and Budget.

No. 1141 Resolution establishing a committee to recommend revisions to Section 719, Vendors and Peddlers of the City Code, and any other provisions of the Code that pertain to vending and peddling in the City of Pittsburgh. **— (SPONSORED BY MR. UDIN).**

MR. O'CONNOR PRESENTED:

No. 1142 Communication from City Controller Tom Flaherty submitting the Special Report on new Homeowner Survey, 1997-1998.

No. 1143 Communication from City Solicitor Jacqueline Morrow submitting the Claims Report for December 1998, the Final Quarterly Report for 1998 and the Annual Report for 1998.

In Council Tuesday, January 12, 1999.
Read, received and filed.

The Chair:

Motion to receive and file.

MR. FERLO moved to receive and file.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Any unfinished business to come in front of Council?

UNFINISHED BUSINESS

Mr. Cohen:

Thank you, Mr. President. I think this is the appropriate time just to talk briefly about a bill that was introduced today on the transfer of the cable system from TCI of Pennsylvania to AT&T. It actually is a change of corporate control technically, and I just wanted to let other Council members and the public know what the process will be. Today we introduced a bill regarding that transfer. We have until January 31st to reach a decision on that issue.

With your help, Mr. President, we scheduled a Post Agenda Meeting on Thursday at two o'clock to discuss the number of issues surrounding this transfer with representatives from TCI and representatives from AT&T. We have asked for representatives from both corporations to come to City Council that day to discuss the financial, technical and legal issues surrounding the transfer.

We will then discuss among ourselves any conditions that we would attach to that transfer resolution, have a preliminary vote a week from tomorrow and a final vote the following Tuesday. I just wanted to tell other Council members what the plan of action will be on that and if anybody has any questions at all, please feel free to contact me.

Mr. Ferlo:

First, I want to thank Councilman Cohen for his work and leadership on these issues. There is at least three separate and distinct issues that this Council and the public needs to be looking at and thinking about. Some are immediate like the AT&T's/ TCI merger

and longer range the issue of the consulting group that we have engaged to work long range on the issue of our over all communications policy in the City of Pittsburgh.

And, thirdly the issue of the renegotiated contract of the franchise renewal with AT&T/TCI whatever the new animal is going to be called. I assume it will be called AT&T since they are the bigger folks on the block. But at some point we need to get the public involved as Councilman Cohen and others have pointed out.

We had an informal meeting yesterday. Councilwoman McDonald and myself and Mr. Cohen with a number of community group leaders from the East End including Mr. Redwood from our Cable Advisory Group also very active on community access issues. We are trying to begin to layout and expand on one of the principles that we are concerned about we begin to negotiate the cable franchise renewal and that is the issue of community linkage and community access whether it be the cable to the Internet and the like.

So I would hope that we can have the Post Agenda Meeting cablecast just so we can begin to try to get the word out to the community about these different issues and how they begin to be involved. But in terms of the hearing on the AT&T merger, the Justice Department apparently has already agreed and reviewed it and is not challenging any anti-trust action.

There are significant issues about what will happen with the merger whether it be whether or not the Corliss facility and employment will be maintained in this city. There are at least a couple of

communities around the country that actually have intervened in the issue and are raising some challenges. I would ask that we get something in writing from the Law Department explaining why Portland or maybe a couple of other communities that Mr. Cohen can maybe talk about have chosen not to approve and are seeking some course of action before the FCC. But if we can get some of that information prior to the hearing Thursday and also for the meeting Thursday to be cablecast, I think it would be helpful.

The Chair:

I believe to be clear that's a Post Agenda Meeting Thursday.

Mr. Ferlo:

I know, but I wanted to know if we could have a Post Agenda cablecast just so people could know more about the issues.

The Chair:

It is not a Public Hearing yet.

Mr. Ferlo:

No, but I think having it cablecast is --

The Chair:

Yes, I just wanted to clarify it is not a Public Hearing. We have a motion to telecast the Post Agenda.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Cohen:

Mr. President, we also should ask that the other members of the Franchise Renewal Negotiating Team be there including Guy Costa, Jacqueline Morrow, Rodney Akers and probably John Staudacher also should be there from CIS and certainly a representative from the Cable Committee. Thank you.

The Chair:

Thank you. We have an appointment of Eric Momberger.

MR. O'CONNOR PRESENTED:

Bill No. 1010:

Resolution approving the appointment of Eric Momberger as a member of the Contracting out Regulation and Review Committee for the evaluation of proposed outsourcing of the Emergency Medical Services billing function.

The Chair:

Any discussion? Motion to approve.

Mr. Ferlo:

Roll call vote please.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

(Mr. Ferlo voted no.)

Which motion prevailed.

The Chair:

Anything else under unfinished business?

Mr. Ricciardi:

Yes, I will take this under unfinished business.

Colleagues, regarding the Public Hearing that I motioned for and that all of you supported regarding the development on the LTV site. Because of the cold weather and some of the streets are very difficult to navigate, I don't believe there will be a need for the Public Hearing for two reasons.

First of all, there is going to be a hearing in the Southside of Pittsburgh January 19th at 7:00 p.m. at Good Will Industries, allowing all the residents of the Southside and the abutting communities to attend that meeting. I will be able to hear their comments there. Also, all colleagues are invited. So that will save us some time on logistics.

So if there is no objection by this Council, I am asking that a Public Hearing not occur here because of logistic reasons and it will be substituted for the community meeting on January 19th at 7:00 p.m. at Good Will Industries. Everyone in the City of Pittsburgh is invited especially the Southside community to hear presentations from developers, the URA and others regarding development on the LTV site. Thank you.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Anything else unfinished business?

The children have been so well behaved out there from Woolslair. A couple raised their hands and probably wanted to ask questions. Do you guys know how to yell Happy Birthday to someone? Are you ready? It is Councilman Cohen's Birthday. Councilman Cohen you just want to stand up and we will just yell Happy Birthday. We won't say how old he is today. You want to wish him a happy birthday?

(Children sang Happy Birthday.)

Mr. Ricciardi:

We also have another birthday in the chambers. Our Sergeant at Arms, Officer Victoria Mohny. So it is Victoria's birthday also.

The Chair:

Well you can take half the kids for cake and ice cream to your house and Dan can take the other half. If you want to leave, they have been very good today.

We now move to Committee Reports from District One, Mr. Onorato. Planning Zoning and Land Use.

CHAIR REPORTS

Mr. Onorato:

Mr. President, the only issue I am going to talk about today because it is going to hit all of us real soon, that is the Zoning Code. As I told you, after we passed the Zoning Code we developed a committee. The committee has been meeting regularly, actually twice a month now and there is even an all day working session planned this Saturday, January 16th.

Mr. Hertzberg:

I thought it was from nine to twelve.

Mr. Onorato:

Well, my guess is it is going to be all day. That was being optimistic numbers. We have the opportunity to be there all day to really give some of the bigger issues the time that it needs. I want to thank a lot of the people that have been participating because they have been putting in a lot of time, volunteer time to deal with some tough issues.

But I want to assure my colleagues I was trying to figure out a way how to do this to get the nine of us involved. I talked about it the last time I gave a committee report and I am going to explain how it will end up dealing with all these issues because it is ultimately our decision on every issue that comes forward.

We have the committee narrowing down any particular issue on the Zoning Code by proposing draft amendments that will be brought forward to Council. The amendments will come forward with some of them unanimous support, some won't have unanimous support, some of them will actually have opposition from the

committee. But I thought it was only fair to at least allow all of the amendments to come forward as a form of discussion. I would hope that we take the amendments and it won't be -- we are not talking a hundred amendments, we are talking maybe 10 to 20 key issues that we just run through them one by one and we vote them up or down. The five people here decide the policy on each amendment and then we bring it to closure eventually.

So this weekend there is an all day session or a half-day session. The time frame for Council and these are tentative time frame times. We are going to try to live within these time frames that there would be introduction of the bills, the actual amendments on February 16th. They will then waive rule eight on the 16th would be Council's Committee Meeting where we can actually make a motion to hold for a Public Hearing to have outside input and have it scheduled immediately so that we can have the public make any comments on the proposed amendments and any possible new amendments if it comes from a colleague. Then possibly have it back in Council's Committee on March 16th and have final action by Council on March 23rd.

That's the time line that we have been working under to at least bring this to a closure or bring it to discussion. This doesn't mean that the amendments that come forward from the committee are the only issues that get discussed. As you well know, any nine of us can bring anything to the floor. But it is a way to bring the committee discussion to an end and to hand it over to Council for debate. That is the time frame. If anyone has any suggestions or any recommendations they can tell me now or send them to my office

and I will make sure the committee takes up your suggestions. But that's what we are proposing at this point and that is the time line we are working under as of today.

The Chair:

Can we ask a couple of questions on that?

Mr. Ferlo:

I am not totally clear on the procedure. I appreciate the good work of Councilman Onorato and the fact that this group is meeting. Unfortunately it meets at a time that I have not always been able to get there, at eight o'clock in the morning on Monday morning. I am worried that the last folks I saw trailing out of the room were mostly downtown real estate interests, which are great I want them to have some input. But I am just concerned about the procedure. If we are making changes to the Zoning Code they would be introduced by a colleague, they would be forwarded to the Planning Commission for a report and recommendation.

Mr. Onorato:

I am sorry. That is happening. That was my fault. You're right.

Mr. Ferlo:

So are we then saying that we are going to receive whatever kind of report whether it is positive, negative on any one issue, we will then discuss it and then decide amongst ourselves whether we want to forward it back to the Commission or is Mr. Onorato saying that whatever the document is will be forwarded to the

Commission?

Mr. Onorato:

I actually only gave you Council's time line. Before February 17th when they get introduced to Council, it really starts on the 26th where the Planning Commission is hoping to have a Public Hearing on these amendments.

On February 9th the City Planning Commission is continuing the hearing if they need to continue it. On February 16th is when it will be presented at Council from the Commission. So they will already review them all.

I do want to point out I am sorry you only saw some real estate people come out of the meeting, but I can assure you that there are a lot of community representatives in the room also. They also have sub-committees working outside of the bigger committee that meets here in Council. So there are some sub-committees working on specific areas too. But as you can imagine this committee has been so big I think we have 20 members on it. It is kind of hard to have a working committee that size, but it's been working. We have had sub-committees and community representatives have been present at all of them and the final protection will be this Council on any issue because we're going to decide the five of us on what gets passed and what doesn't.

The Chair:

Did we put a voluntary six-month time line on all of these?

Mr. Onorato:

What we did is when we passed the original bill it doesn't go into effect until the date that we are using, February 25 or 26. I think it was the 25th. Then the second six months we were going to come back after a year once it is implemented to see if there were any problems once we are using it. That is what the committee will do next year. But we are at the end of that six-month period at the end of February.

Mr. Ferlo:

This is totally a sidebar issue. But this Council has been on record for over a year asking that the Planning Commission and the Zoning Board Room at the Ross Street location get an appropriate sound system. I keep attending meetings as late as last week in front of the Zoning Board, you cannot hear in the room. I don't think it is just the fact that I am losing part of my hearing, the fact of the matter is it is a very difficult room to hear in and there is no working sound system in the room. There are a lot of times there are very large Public Hearings there; it is very difficult for people to have sense of order and participation.

So I would ask once again for the 50th time if the administration, Director Hirsh, whatever money they need, I am sure we can find a few thousand dollars to come up with an appropriation. I want to implore upon my colleague, Councilman Onorato. If Councilman Onorato could maybe take this up being Chairman of Zoning, but there are too many people that go to that room and cannot understand or hear what the proceedings are both before the Zoning Board and the Planning Commission. Maybe we will ask Director Costa to take it on he seems to get things

done around here.

The Chair:

I will leave that up to Councilman Onorato a request with Director Costa to look into that. I agree with you. It's really not set up for large meetings either.

Again, if it is a large meeting, I don't know if they would want to use our chambers. Probably again a large meeting or some other facility in the city it is not fair to the public. Okay.

Thank you Mr. Onorato for that report. Now move to District Two, Councilman Hertzberg Public Works.

Mr. Hertzberg:

Thank you, Mr. President. First, I am sure at the top of everyone's list is the question of snow removal. Hopefully you have all received a memorandum dated January 6th from Ralph Kraszewski, the Director of the Department of Public Works. It is a lengthy memorandum. It has first a kind of short summary of the snow and ice control program. But then as a I believe this is 20 some page booklet the snow and ice control program and just if you are wondering this street has been reconstructed it doesn't look like this any more it is Wall Bridge in the West End. It may be because it used to be the worse street in the city.

I won't read this report in its entirety, but I will highlight some of the areas that I think we had some questions on at the last meeting. One being how our Public Works Department delivers the service. In each division the streets are classified into one of three categories,

primary, secondary and tertiary. Primary routes are salted first and continue to receive salt treatment as required to maintain traffic flow. Primary routes are the main arteries that provide access to hospitals, schools, major access roads and fire stations.

Secondary roads are salted after the primary system has been completely salted and plowed. Exceptions are made in the event of an extreme emergency including fires and heart attack calls. Secondary routes are usually residential streets and thoroughfares.

Tertiary routes are those streets and alleyways that have little traffic on a regular basis. These streets are salted and plowed after the secondary routes are completed.

Some of the other highlights of the hand out are that the staff of Public Works during the winter changes the shifts so that we have people that are on duty 24 hours so that they can react to a snowstorm or clean up at night. So they actually change shifts where we may not have people working all night during the good weather months, during the winter weather months the shifts are changed and there are people working 24 hours.

Also our vehicle availability. There are a total of 30 6-ton dump trucks, 34 4-ton dump trucks, 39 tractors, 5 one-ton dumps, six multi-purpose trucks, 77 pick-ups and six salt cars. Which is about 200 or so pieces of equipment.

As far as the salt capacity. First salt and calcium chloride. The First Division has 5,000 tons of salt and 3200 gallons of calcium chloride. The

Second Division has 5000 tons of salt, 3200 gallons of calcium chloride, Third Division has 800 tons of salt, 3200 gallons of calcium chloride, Fourth Division 800 tons of salt, 3200 gallons of calcium chloride. Fifth Division 5,000 tons of salt, 3200 gallons of calcium chloride. The Seldom Seen facility has 5,000 tons of salt and 3200 gallons of calcium chloride and the heavy equipment facility has 900 tons of salt and 3200 gallons of calcium chloride.

I think salt boxes were one of the topics that came up last week as to whether there has been something different that happened with salt boxes a new policy. The answer I have received from several members of the Public Works staff are that, no, nothing has really changed. Council members have a concern if there is a salt box that isn't filled or appears to have been removed, that could have happened for a lot of different reasons including vandalism and theft. But if there are salt boxes that you believe should be in a particular spot or need to be filled, please contact the Department of Public Works they haven't changed the program. At least that's what they tell me.

The issue of salt and the temperatures and salt not working, as I mentioned before, each of the facilities has calcium chloride that is supposed to work at the lower temperatures. As far as cinders, cinders are used. We do use that to try to make the traction better when temperatures are very low.

On to some other areas in Public Works. Our street resurfacing program in 1998, 78 miles was resurfaced at a cost of about \$7.5 million and it was within the budget at a cost of \$96,245 per mile.

Playground retrofits, six of eight retrofits were done at a cost \$317,000. Two are on hold until 1999 because of manufacturer's problems.

Access ramps. Public Works completed 491 of 570 ramps at a cost of \$211,396. The department met its in-house goals. However, cold weather hampered the contractors that were working on it. And the balance of the ramps will be completed by the early spring of '99.

Park reconstruction. 265 -- \$3,000 was spent on fence repairs at 21 of 26 facilities. The remaining five are in progress. Twelve courts of eight facilities were renovated. Concrete repairs at four of eight facilities were done and the balance in progress. Playground renovations at two facilities were done.

Public Works completed and opened the criterion bicycle course in Highland Park December 1st.

Christmas tree drop off was open on Saturday January 9th and again it will be open January 31st from eight a.m. to two p.m. at the different Public Works sites that accept Christmas trees. Also during the week from Monday through Friday from eight to two Christmas trees can also be dropped off at the Public Works drop off sites.

On January 1st the refuse collection people started a semi automated recycling collection program. The recycling trucks have automated cart tippers to dump 95-gallon containers. This program is being used at all non-residential stops. What happens is the trucks that pick up the recycling materials

now if the commercial facilities have the uniform 95-gallon size containers and they are not the large dumpsters, they are a little bit smaller. They look a little bit different. They are something kind of between a dumpster and the regular garbage can. But the uniform ones now fit with the truck so that the trucks now have a hydraulic lift. All you do is wheel them, they have wheels on the containers. You wheel them to the trucks then the trucks will be lifting those. That is going to save some backs.

Public Works replaced 2538 square yards of concrete slabs at a cost of one \$98,449 dollars and 1728 of bricks, block stone was replaced at a cost of \$131,444. That completes the report.

The Chair:

There are a lot of positives in Public Works, certainly the bike course and the parks. Right now we will probably pay a little more attention to the snow removal.

Mr. Ricciardi:

Yes, thank you. Mr. President and colleagues, first I would like to thank Councilman Hertzberg for his report regarding Public Works activities. This is not a reflection on Councilman Hertzberg, but I remember several years ago an elderly woman in the Southside taught me the most important civic lesson. At that time, Mr. President, I was shopping at one of our neighborhood delis and she asked me where I have been. I was very proud at that time so I was writing and working on a piece of legislation. I started telling her about the piece of legislation I was working on and all the time I was putting in and the great opportunity, that it passed

on City Council. She goes, Gene that is all nice, but guess what, that tree still hasn't been pruned. That really taught me a lot.

What I am saying for those people that are listening throughout the City of Pittsburgh and in particular the division that is represented by Councilman Diven and myself are probably saying the same thing. That report was very nice, but when I look outside my window I have a real problem navigating our streets. So that's what I would like to look at.

We have to look at policy now and some innovative ideas. Colleagues, I listened very closely when all you speak and last week Mr. Ferlo brought up a very good point when he said we should not micro manage the department. He had believed or he had stated that we had competent staff and they should be doing the job. So I thought about that and I thought we have a solid management team. We have fine men and women working in Public Works so what is the problem? Because no matter what anyone says in Public Works or the administration and I spoke directly with the Mayor yesterday, there is a problem out there. We are talking about building new neighborhoods on the LTV site, I see the City of Pittsburgh and administration coming up short and I see their shortcomings in delivering services to our traditional older neighborhoods.

On that note, Mr. President, I want to compliment you because you're thinking of innovative ideas, new ideas, such as plows on garbage trucks, no different than what I have heard that they do in the City of Philadelphia. I want to thank you for bringing that forward. With that said, I thought well we have the same

management team, we have had the same men and women, same amount of equipment, we have consolidated into five divisions, it was supposed to work better. Is there a problem, I believe I have discovered one.

That problem goes back to several years ago, I believe two years ago, colleagues, when the current administration entered into a cooperation agreement with Allegheny County regarding sharing services to be more effective for city and county workers, city and county taxpayers. I think that cooperation agreement when it came to Allegheny to Public Works, the City of Pittsburgh came up short.

Let me show you why. I have been getting calls from drivers throughout the City of Pittsburgh, but especially in my division. Right now the City of Pittsburgh is responsible for a host, a whole array of county roads in the City of Pittsburgh. Example, Becks Run Road. It is a county road, the City of Pittsburgh takes care of Becks Run Road, which is in my district. Becks Run Road is a four-lane highway. It takes a driver four to five hours to properly plow and salt Becks Run Road. Plus county roads receive a high priority and they go first.

Other county roads that the Department of Public Works, city workers are taking care of, Wagner Street, Mountain Street, Route 885, Mifflin Road, all the way to Century III Mall. All bridges in downtown Pittsburgh, all ramps off of West Carson Street, Crane Avenue, McNeilly Road, Route 88 all the way to Pioneer Avenue. If you go to the North Side, North Side District goes all the way out to West View. If you go to East End

they go beyond East Hills.

Now the agreement at that time was that if we take this, what would occur? Allegheny County, inept Allegheny County government run by the majority of Commissioners Dawida, and Cranmer would take Lincoln Place and East Carnegie. This year Allegheny County, Department of Public Works said we can no longer take Lincoln Place. We don't have a substation out there. So they gave Lincoln Place back to the City of Pittsburgh, but did the City of Pittsburgh return any Allegheny County roads back to them for their responsibility? It appears not.

Now, let's talk about East Carnegie. The fine people that live in East Carnegie, we are talking about three primaries and six secondary streets. Please keep this in mind. Three primary and six secondary streets. To properly plow and salt those streets and this comes all from the laborers of City Public Works, people doing their job. It only takes four to six hours. So Allegheny County Department of Public Works is giving us maybe eight hours of work, that eight hours of work we're eating that up just on Becks Run Road.

I thought there was a problem. We have the same strong management team. We have the same strong men and women. But it appears and I will say this publicly, Mayor Tom Murphy's strong relationship with Michael Dawida in order to help bail Mike Dawida out of this inept government, has sold out our own city taxpayers. We're buried in snow taking care of their responsibility.

So what I am asking this information though that has been relayed

to me by laborers. So let's hear it from the directors. I want, and I am sure this will be supported by all, I would like to pass a motion, a resolution. I think that the Director of the Public Works should report to us all roads and bridges, a list of all the roads and bridges under Allegheny County's jurisdiction that we take care of. I want to know the mileage of those roads and bridges and I want to know how long it takes to do those roads and bridges. I want to know in return how long it takes Allegheny County's Department of Public Works to do East Carnegie. That's the problem. We're coming up on the short end.

So yes, Councilman Ferlo is right, I am not going to micro-manage. I think our staff is doing a fine job. But when it comes to policy, we screwed up big time. I will say that. I said that to the administration. They're worried about the LTV site. I told the administration yesterday worry about my streets. That's what I want to worry about.

Let me just end with this. She taught me a civic lesson. Yesterday at six a.m. Michael Diven and I toured Carrick. We went looking at Carrick; it's a disaster, not just Carrick a lot of other roads in my district. We split up. I went down towards St. Basil and I had that report that was presented by the Public Works Chair. The gentleman was very upset and I pulled out that report and I said I think we are trying to do the best we can. He told me what to do with that report.

And let me tell you, I am telling the administration the same thing that they can do with that report. I want to know about this cooperation agreement that we have with Allegheny County and I want to pass

the resolution. I think we should know by Friday. Motion for the resolution.

MR. DIVEN seconded the motion.

Which motion prevailed.

The Chair:

Can I just chime in one second?

Mr. Ricciardi:

I complimented you, Mr. President, be careful how you chime in.

The Chair:

You're 100 percent right because four years ago we made a deal with Lincoln Place. I represented Lincoln Place. The county and West Mifflin had salt trucks, a salt facility there. They in the summer before they took it over they went up with their operators, studied the area and we never got one complaint in Lincoln place. That agreement fell apart for whatever reason or excuse. The drivers up there now some of them I talked to have never been to Lincoln Place, have no clue where it is at. So the people at Lincoln Place certainly agree with you and if this thing can be put back into place, other wise it was a disaster the agreement.

Mr. Cohen:

I want to also comment on this snow and salt removal. I will be brief, Mr. President. There is something wrong with the City's response to snow and salt removal in the city and certainly in the neighborhoods that I represent. Well, Mr. President, there is something wrong when Council offices, and I am sure all of

us are included, but I don't know if anybody got bombarded more than mine. When Council Offices get bombarded by angry residents unable to get to work or to drive on city streets, there is something wrong when after several days, it has been a week, many streets in my district remain snow covered and alleyways completely untouched.

My staff did a map of the neighborhoods I represent, highlighted the streets that have not been done and streets upon which we have received complaints, and it was virtually half of my district. The system is broken and it needs to be repaired. I don't blame Ralph Kraszewski and the Public Works employees. I rode through the streets of my district on Friday afternoon, with Ralph Kraszewski, with Bob Booker, and I do think that they are doing the best that they can. But we do not have enough personnel. We don't have enough of the right equipment including tri-axle snowplows, which we used to have and we just don't have any more. The larger snowplows and certainly one of the reasons I voted against the 1999 budget.

What I am asking for, Mr. President, after having a pretty difficult week last week and certainly my residents having a very difficult week, is for a performance audit to be conducted by Controller Tom Flaherty which would study the personnel, the equipment and the policies of our snow removal operations. I spoke with Assistant City Controller Tony Pecora this morning, who told me that they would be able to conduct such a performance audit. The audit should include, I think, many of the questions that have been raised by other Council members. Including what the effect was of switching from six divisions down to

five divisions. What the effect was just on snow removal now, I want to focus solely on snow and ice removal. Whether we have enough personnel and if not, who we need and where we need them. Whether we have the right equipment including your suggestion, Mr. President, about equipping garbage trucks with snowplows and certainly whether we have the right snowplows for the City of Pittsburgh. And, also whether our salt purchase procedures are efficient because we ran out of salt as well.

I just think we need an independent look at logistically what needs to be done to remove our snow and salt from the City of Pittsburgh streets and whether we have enough resources to do that. I would ask that in a motion that we ask City Controller Tom Flaherty to perform an audit.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. Diven:

I would like to clear up my position regarding Public Works. I can tell you how frustrated it has been for my office especially the people who work in my office who handle the bulk of the constituent services. We have received over 1,000 calls regarding snow removal. I have been inundated on the weekends, in the evenings at my home by people who are frustrated and I don't blame them. That's why my phone number is listed in the phone book. If people have a problem and I can help, I would like to do the best I can. But there is just an overwhelming cry from the people who live in Carrick, Brookline and Overbrook about no action

to remove the snow on their streets. And the thing that bothers me is when you hear about it was a weird storm, there was ice, there was snow. I understand that, I understand that your Public Works guys, the people out on the streets are working 12 hours and working very hard.

But the thing that frustrates me is in all the calls that we have received only a handful of them came from Beechview and Banksville, which are in the Fifth Division that are also in my Council District. So to have a handful of calls balanced out by over 850 calls or close to a thousand calls from the neighborhoods like Carrick, Overbrook and Brookline but then to have two other neighborhoods where you virtually get almost no calls at all, something is wrong. I am not pointing my finger at any one particular person or whether it be I think the ultimate responsibility lies with the Mayor. I will point my finger at him, but as for the Director of Maintenance or the supervisor, I am not going to go into naming names. But what I have said to the Mayor and what I have said to the Director of Public Works is that this is unacceptable. We have got a real problem and it has got to be straightened out.

I know I spent a lot of time looking at streets, talking with Public Works. I think the thing that frustrates my office is when you receive a call from a constituent who is frustrated because it has been two days after a snowfall has hit and their street isn't plowed. You take that street name and you forward it over to Public Works and then the following day you receive a call back from that same person who says are you going send a salt truck out or not. The following day it was three or four days where we got calls from the

same people regarding their streets, regarding nobody has been out there to plow or salt those streets. That's just unacceptable.

The thing that bothers me is that in the Fifth Division I will praise people when they do the right job. In the Fifth Division we did not have problems like that. We had a great system in place. I received calls from people in Brookline when they go to work the first thing they do is cut over to Beechview. They know the roads are passable so there is a problem there. I am not going to single out one person. We need to sit down and have all these facts and figures. I am not going to settle for typical excuses like the storm was overwhelming or we couldn't get this person out or I think that they are all excuses. Someone has to own up and take responsibility.

I know that my office worked very hard to try and make sure that people were satisfied with the service. We even got complaints from people that had called the divisions and didn't like the attitudes of the people who answered the phones at the divisions, that just adds fuel to the fire.

I would like to send a message to the Public Works Director and to the Mayor. That we have to have a responsible, customer friendly service that we provide even in tough times. I would hope that we can, through our resolution, get a complete picture of what went wrong. Not so we can yell at people or punish people, but so the next time we are hit with a storm of this magnitude, that we have everything in place to handle it and to make sure that we don't go through the same kind of -- I mean it has been a week straight where our phones have been

ringing off the hook about complaints that we, myself have called in three or four times and there has been no response or no action.

So I appreciate Council's support on getting a performance audit and getting that information so we can deal with facts and figures instead of excuses.

Mr. Ferlo:

I don't want to beat up on my colleague, Mr. Hertzberg. He works very hard as the Chairman of Public Works and more importantly, he works very hard in his district. I think it was a good report because I think he embellished all the different kinds of activities and functions and services that the Public Works Department provides throughout year.

Unfortunately, I do think and I have been here for a good number of years, and I don't know why it's this year. I have a number of suspicions that the snow removal and the intervention by the Public Works is not as good as it has been in the past. More importantly, there is great inequity in the level of service throughout the city where some divisions seem to be doing a better job, other divisions a lesser job by the constituent's complaints and calls. I think we need to work and to get to the bottom of this. I wish we were talking about this during the April months when everything is past tense and we can just reflect on the past.

The fact of the matter is we don't know what is going to happen in the next three or four weeks and we could, God forbid, have some very serious rain storms, sleet and in fact tonight and tomorrow we still might have a bad situation on our

hands. So, really there is an immediacy here to try to intervene and talk with the Mayor and the director or the staff about some of the problems and how would we intervene right now to try to take some corrective action.

While my colleague was speaking about the voluminous volume of salt it's stock piled in the salt domes and all that, I was glad that we had salt. I was thinking of the faros of ancient Egypt that would hoard the grains of wheat for keeping them away from the populace. In a way the issue is not how much we have, as so much as how do we get the darn salt out onto the streets and the byways and the alleyways of the City of Pittsburgh?

I am pleased to at least in my division we're blessed with a great supervisor Mr. Jamison, he is a great administrator, good hard worker and we have a great staff on our division. I am not saying we haven't gotten problems in my communities, we have in particular parts of Morningside and Polish Hill have consistently called asking for intervention. I would note that in my Council District many of the primary, secondary routes are getting cleared better maybe than Councilman Diven and Mr. Ricciardi's districts' but the tertiary routes are still a major problem. At least in my Council District, people live on tertiary routes. People live in small streets. Some people even call them alleyways but that's primarily residents for many of the people that I represent and they deserve at least some level of quality service as much as the primary and secondary routes.

I think we need to get to the bottom immediately with Mr. Ricciardi's concern about the bad deal and whether or not it is

a bad deal with the county. Mr. Cohen is raising a long-range issue about a performance audit that's great. Mr. Hertzberg to his credit has asked us for a quality of performance review although over all Public Works Department all of which we support and I applaud that. We are not getting the accurate information in all do respect to my colleagues. The fact of the matter is the salt boxes were not put out. There is a conscience decision by someone so I would have to say that he is not getting correct, honest information from the staff.

The fact of the matter is salt boxes were slowly trying to be weeded out and not be put out by the administration. That's a fact. That's in my division. Maybe the other divisions that Mr. Hertzberg is aware of is the case, but I know for a fact in my area and not just my division, but the neighborhoods in and around that I represent. The fact of the matter is there was not the uniform system of delivery of salt boxes that we have had in the past. There is a conscience effort to get rid of the salt boxes and that is a problem. The salt boxes are the way that many residents roll up their sleeves and help us combat the snow problem.

I mean I know some Public Works folks and I was at the division over the weekend on Hamilton Avenue, only to see residents pull up and try to get some salt. It is not that they were hoarding the salt moving out to the suburbs, they were grabbing the salt because they live on hills and back alleyways and streets where they are used to going to the salt boxes to help our Public Works force intervene. So as much as the Tom Sawyer philosophy of the administration rolling up their sleeves and helping clean the vacant lot, I would

ask that they extend that kind of pro active philosophy with the battle against snow and snow removal.

The citizenry wants to be involved. I am not expecting 80-year-old individuals who are frail to get out and do that. But we have a lot of people that think nothing. I think Mr. Sivit (phonetic) from the Polish Hill up above Blessing and Ridge Street, he is one man clearing the hillside. Both with snow removal and cutting the grass in the summer and the spring and the fall months. He goes and gets that salt. Where does he use it? He doesn't take it home and put it on his potatoes, he takes that salt and spreads it out on Blessing Ridge Street, Lisbon Street so the people can get down from the Hill District back down to the Bigelow Bridge to the back area. I mean we should thank him and give him a medal.

The fact of the matter is there are a lot of people like that around the city that help out in this critical time. Let's get the salt boxes out there. If we need to build some more, don't wait to build them in January. Build them over the summer months with some interns if you have to. Mr. Onorato's summer youth whatever. But there are all kinds of management information things that need to be done better. So I have to respectfully still raise some concerns with Mr. Hertzberg's observations.

I think we need a face to face meeting with the Mayor ASAP to talk about some of the critical problems. Maybe his observation is different. I know he has been out there. I know he's working hard. Maybe he is hearing a different story. Maybe his impression is different. He raises a good point, that you

know if we don't have money we can't hire new staff. I respect that. But even looking at past years with the current complement of employees, management and laborers, we are not seeming to do as good of a job as we have in the last couple of years. We actually have been blessed. We have to admit, we actually had a better winter. We have this chaos in this last couple of weeks, and I think unfortunately we are going to have a couple more bad weeks of rain, sleet, and bad weather.

So, could we please maybe have a meeting with the Mayor, raise this issue of a performance audit, raise the issue of the county agreement and talk more immediately about how we get back on footing? I have heard other rumors about some of the folks not wanting to work the shifts. There is a collective bargaining agreement going on right now. Some people are telling me that Public Works folks are a little bit upset and they are hesitant to do certain work. I don't know if that is true or not, but I think we need to get to the bottom of this and work with the Mayor, work with the community and try to intervene and get a handle on the problem.

Mr. Udin:

Yes I support the call for the audit, as well as the report on the county city cooperation. But I think we need something quicker. I would suggest that we call the Public Works Director, Ralph Kraszewski, to the table tomorrow and ask him to be prepared to give us his perspective and his report of what the situation is? What the needs are? What the shortcomings are? I would like to have the benefit of hearing directly from the Department Director before we decide

how to fix it. We need to decide what is broke.

I don't know if that should be done at the meeting tomorrow of the Standing Committee or in a special Post Agenda that perhaps Mr. Hertzberg might convene. But it needs to be something that is done within the next, this week, within the next couple of days.

Mr. Hertzberg:

It is your committee. You run the Finance Meeting tomorrow. If you want to do it then, that is fine either way.

Mr. Udin:

If there is no objection, then can we send a notice to Mr. Kraszewski to ask him to be available tomorrow?

The Chair:

Yes, we will request that he be here.

Mr. Ricciardi:

I think that is an excellent idea by Finance Chair, Mr. Sala Udin. Hopefully he will have that information regarding county roads tomorrow also. I think Mr. Sala Udin will agree that's important for us to have tomorrow.

The Chair:

Anything else on the snow issue?

Mr. Hertzberg:

Maybe the final comments from the Chairman. I just I don't want to make excuses for anybody, but I can just relate

my own personal experience. I was out of town with my family between Christmas and New Years. I returned home very early in the morning on January 4th. As a result, I wasn't able to do any work on my driveway and my walkway during the period when I am told that it snowed and rained and got very cold.

I worked about two hours a day, every day from last Monday through Saturday just to get the ice cleared from my driveway and my walkway. I mean this was not an average problem for snow removal. It was the most difficult problem you could ever have. This is a more difficult snow removal problem than a blizzard. It just is there, is that type of three to 4-inch thick ice is the most difficult thing to get removed from the roads that there is, I think. I am not trying to tell any constituent they don't have a problem. I think they do. But I hope they will bare with us a little and our employees. I think you know and there maybe tougher times ahead for them this winter. Who knows what the weather will be?

But I think we need to be sure to send our Public Works people a message that we support them in their efforts. I saw one employee out working on Friday evening. He had a 7:00 p.m. to 7:00 a.m. driving a salt truck. He told me he was going to be due out Saturday again at 3:00 p.m. to work another shift. I ran into him again Saturday at two o'clock and he said he was driving all night at the end of his shift when again the weather changed it went from a rain to a freezing situation. He wasn't quite aware but he actually slid with his truck and got into a minor accident. He looked shaken up but at 3:00, he was back out working again. I think

that's typical of all of our workers in Public Works.

I think although we need to be critical, and whatever problems there are, we need to get to the bottom of those problems and find a way to solve them and make this the most efficient it can be and make it better. There are problems I don't dispute that, we need to let our Public Works employees know that we support them and we don't need to be beating on them. I don't think they are the problem. I think they are very hard workers, very dedicated and very good people.

Finally, as far as and all I can do is tell you I don't have the ability to go out to every single division and check on the paperwork. But what our supervisory people in Public Works are saying as far as disparity from division to division or neighborhood to neighborhood, they are able to check. There are what they call route sheets. Every person that is assigned to do snow removal is given a piece of paper that says you're doing this street, this street and this street and this street. They have to check them off. I am being told that those route sheets are being filled out. So it appears the streets at least as much as they are able to keep up with them and do them in the order which I think we have all got to agree, that is probably the best way to do things. You have got to get the roads that have the most traffic first or nobody is going to get anywhere any time.

They indicate that uniformly around the city these route sheets indicate that things are getting done and in the best way that they can be.

The Chair:

If I can just add one quick word? I

was fortunate enough I guess I worked for a Greek immigrant for 20 years. There were no bad ideas, he just taught me how to make them better ideas. I came up with the idea about the garbage, the snow plows on the front of the garbage. Everyone I have talked to likes the idea except one person. I won't pick on that one person. He happens to be in that division. Well he ought to at least say hey we tried and we looked at and we called Chicago. If we are going to do all of this, but it won't work. I have heard excuses well they will stick out three feet. Well, gee can you buy smaller ones?

I think everyone is going to roll up their sleeves and support the workers. Just as each one of you said the workers are out there 12 hours a day, 18 hours a day. What I am disappointed in some of the leadership where they don't use any kind of entrepreneur spirit. You're right we're going to do a committee, a survey. By the time Mr. Flaherty does an audit, in July no one is going to pay attention and you know where our customers out there, the residents of Pittsburgh will tell us what to do with that audit. Plows forget about the garbage you don't like the garbage guys, there are 26 trucks, division leaders have called me and said there are at least 26 trucks we should have plows on.

I was on a salt truck, big dump truck, no plow. They don't have one for that truck. Actually I didn't pay attention when I jumped on the truck. We were going up the side I said I thought the guy was missing, I said why don't you put the plow on? He said I don't have a plow. You don't. This is a big dump truck. So, where is our leadership here?

Salt boxes that came up last week.

Okay, we used to build the salt boxes in the summer, now they are short. I know they don't build them. Are they full? I doubt it.

Lincoln Place as you mentioned, we had an agreement it worked perfect, all of a sudden it fell apart. Why did it fall apart? Now we are doing, I heard the same thing you did; we are doing twice as many streets for the county as they are doing for us.

I will just end on one other thing and Mr. Onorato I think you will remember this well. We used to have six filling places of gas now we only have two. I was in Squirrel Hill on another truck and the gentleman said I am 18 hours out, I have to go and get more gas. He is going to South Side. I said well why are you going to Southside, Schenley Park is right down the street? He said well we can't use those tanks any more. So, he had to go all the way to Southside. Guess what, there are garbage trucks, fire trucks, police cars, all waiting in line and we are paying those guys time and a half which they are earning but I don't think they should be sitting in a gas line.

Remember when you introduced a couple of years to use a simple gas card? He could have went to the local gas station. So these are the answers I think what Mr. Udin and we are asking for some of these answers can be solved tomorrow and today to manage it better. We won't be able to build a 100 more salt boxes overnight, but let's make sure they are full the ones that are out there. A fellow on Beacon Street, Birchwood Street, actually found one that has been over the hill for a couple of years, he put it up there and now he is saying do you think it will get full?

If you look at the audit, remember the audit, the reason they eliminated a lot of the salt boxes was well gee some people use it on their driveways. Okay, 10% a cup of salt goes on your street like you said the gentleman. We have Pittsburghers who are willing to go out and bury their hands, help and we are not even filling up the salt boxes. So, I think there is a lot of things that would be desired and the quicker they can get to that long term investigation sure, but let's solve the immediate problem quick and soon.

I agree with the meeting tomorrow. I hope Mr. Kraszewski comes prepared. Again I want to elaborate what each and everyone of you said today or in the halls we are not questioning our workers they are out there doing an excellent job, busting their hump under severe conditions.

Mr. Ricciardi:

Just regarding innovation, and that is why I think we have to talk about, Council President O'Connor, you recall the picket fence. We have an excellent working relationship with the carpenters who are part of the building trade and they are the ones who cut out wood for the picket fences. So that's why we need an innovation here. The salt boxes can be built now by the apprentice people who are going through that apprenticeship with the carpenters. So those are the things we have to talk about.

I think none of us have questioned the work ethics of our workers but in regard to what I am speaking about, I am speaking about a policy issue. How many miles of road are we doing for the county

compared to what are they doing for us? And, Linda Johnson-Wasler, if you can make sure that Ralph Kraszewski comes to the table tomorrow with these numbers. I am very interested to see who worked on this agreement. Thank you.

Mr. Cohen:

Very briefly. Sounds like we are really coming up with kind of a two-track process. One is an immediate discussion with Ralph Kraszewski and I agree and with the Mayor on all the issues that have been discussed relating to snow removal. The second track being an audit. What I did ask Tony Pecora this morning is how quickly could he do it. They said they could get on it in 10 days and have it done soon thereafter. I agree with you that immediately we have to address these issues, but I think this audit can be done quite quickly.

The Chair:

I agree with both, let's do both even if the audit doesn't solve the problems until next year, at least get the immediate problems done now. That includes what you have -- Mr. Diven, that is satisfactory to your proposal earlier?

Mr. Diven:

Yeah, I believe. It is only January we're going to still have the threat of snow until the end of March.

The Chair:

Remember Saint Patrick's Day a couple of years ago?

Mr. Ferlo:

Any quality of performance audit has to take into consideration the surveying of residents' description of the work product. I can't just be looking at trip sheets, because that is not what is necessarily happening. So, if it takes longer, that is fine with me.

The Chair:

Now move to Reports of Committee.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1144:

Report of the Committee on Finance and Budget for January 6, 1998, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1063:

Resolution designating Banks and Lending Institutions to act as Depositories for the year 1999 in accordance with the Pittsburgh Code, Title II, Fiscal, Article III, Depositories.

Which was read.

Also,

Bill No. 1107:

Resolution providing for the issuance of a warrant in the sum of \$22,000.00 to Thomas Thorp c/o Ludwig,

Patberg, Dixon & Ging, Attorneys at Law, in full and final settlement of the action filed at C.A. 95-2072 alleging personal injury on or about July 17, 1995.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Ferlo:

I would just like the record to reflect comments brought forward on the discussion about the bank depositories and Mr. Diven's concern about the ATM fees and the issue that the administration Director Hennigan said he would convey through Councilman Udin sometime I guess in October when the next RFP goes out for the banking community to look at other kinds of consumer issues such as the ATM issue.

(See addendum for comments)

The Chair:

I want to also applaud Mr. Diven he came out with that idea a couple of months ago not to charge the ATM, now the banks seem to be doing it all over the place.

Mr. Diven:

I would like to take credit for it, but I don't know if I can.

The Chair:

Well, you were way ahead of it.

When you said it, they said it couldn't be done remember that a couple of months ago?

Mr. Diven:

Yes.

The Chair:

The bills are now ready for final action. All in favor of the passage of the bills will vote aye when their names are called; all those opposed will vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

Mr. Cohen - Aye Mr. Diven - Aye

Mr. Ferlo:

Are we on both bills or are we just on one bill?

I have discussion on the second bill, I am sorry. I thought you were reading them separately.

The Chair:

I am sorry, we will hold it. Go ahead.

Mr. Ferlo:

I will just do this, I will just vote aye on Bill 1063. I will abstain on the second bill. I just want to note that I am very concerned that we are not -- I don't want to get into all the details, we are probably getting off cheap. It just brings to mind that we continue to have situations

where city police officers not being properly disciplined. I am not satisfied with the course of action that was taken by the administration and, the Chief of Police. I am not happy about the arbitration system and why people can break the law and should be prosecuted criminally as far as I am concerned and end up continuing to be productive active members of the city police force. It doesn't make any sense to me.

So, I am going to respectfully abstain on this bill. I think in the future we should consider having a Public Hearing after we agree on a risk management settlement. I think we should come out into the community and talk about some of these issues that continue to have to pay settlement.

The Chair:

I think in fairness to our colleague, you weren't at the meeting. The discipline was discussed there but this is a different issue. We are voting for the settlement. So I think most of us would agree with your observation about the discipline. But this is on the settlement.

Mr. Ferlo:

Every time we pay a settlement with Public Works or Public Safety it is always a separate issue. It never gets to be the issue. Some how we have to make it the issue.

The Chair:

Any other discussion?
The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

(Mr. Ferlo abstained to Bill 1107.)

Bills have received the legally required number of votes and have passed finally.

The Chair:

We will now move to motions and resolutions.

I have an appointment.

MOTIONS AND RESOLUTIONS

MR. O'CONNOR PRESENTED:

No. 1145 A resolution approving the appointment of Gregory Calbria as a member of the Standards and Appeals Board term to expire December 31, 2003.

MR. RICCIARDI moved to approve.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Ms. McDonald:

Yes. Unrelated issue, of course. Two things. First thing, this is a quickie, it is to publicly urge residents of this region to please give blood to the Blood Bank. We are in a very critical shortage right now. The reason that I am bringing this up is because I am quite aware of the ramifications of having short blood

supplies and having surgeries that are very critical cancelled or postponed thereby endangering the lives and also adding up the cost of medical bills, which all of us end up paying for through health insurance coverage. One way or the other it is going to come back to bite us.

So I am asking publicly to please do not forgo, do not think that it is real cutesy to have Central Blood Bank and other entities appeal to people for blood it is very critical. It only really hits home the most is when it impacts a person personally. When they have a loved one, a friend or somebody that needs it and guess what, the blood is just not there. That is when they feel the pinch. I would urge people not to let it get that close to home to understand that it is very, very, very important.

It is one of the items that I have on my agenda for this year in the African American community typically when there is a blood drive it is not as well attended as in other parts of the community. It is my intention to break that habit, not even just a habit, but to just trample that whole notion that African American Communities don't have a large turn out for a blood drive.

I think that's a miss conception. I believe that with the proper PR and with even going door to door we can get people out to really donate blood. It helps other people that we know and see every day. So again, I urge people to go out and please give blood.

The second issue.

Mr. Cohen:

On that issue. Thank you

Mr. President. I just want to lend my support to what Councilwoman McDonald just said. I think it's a serious problem for the city. I went to give blood on Friday and talked to the gentleman there who was the head of the Central Blood Bank and he told me that they are actually asking hospitals to postpone elective surgery. If they had a serious trauma on our streets or where ever that they may not be able to meet the needs of a patient in a serious trauma condition. So it's a serious problem and I thank Councilwoman McDonald for bringing this up.

The Chair:

I would request, Linda, maybe if we could run a PSA information where to give blood, I know a lot of communities whether they be churches or communities have them. Maybe we could run that on our cable station.

Ms. McDonald:

I appreciate it. We are a city that is premiere in terms of our health care facilities. I mean we are on the map in terms of transplant surgery, etc. and here we are ugly, we have egg on our face because we don't even have enough blood in our drawers to handle common surgery. So it's really silly and Pittsburgh is supposed to be very livable, a wonderful city, courteous, mannerly. We are seventh in the nation. Well one of the best things we can do is to show our manners and our courtesy towards our brethren by giving blood and making sure they don't have to forgo important procedures.

The other issue has to do with the Parking Authority and the miscommunication, a drastic

miscommunication that the residential permit parking program was running at a deficit of what was a half million. What this was is really just a matter of accounting. I think that my colleague, Councilman Onorato, who will be County Controller, will understand this. What our Executive Director on the Parking Authority had done, Mr. Ralph Horgan had assessed what it would cost just to administer the residential parking program in a vacuum with the revenues coming forward just from that program. Of course because the Parking Authority doesn't have the moneys that come into the city to evaluate this program and what have you, it would in a vacuum operate at a deficit. That's only part of the picture. It's no different than our pools. The revenues that were received from permits not permit fees that would be incurred to families or whatever for pool tags, that alone doesn't and cannot handle the administering of the opening and the maintenance of all of our pools either. Monies come in from different sources. That's how the residential permit-parking program operates. Moneys come in from other sources. From the meters from ticket, etc. When you add all of those other revenues up, then it doesn't run it doesn't operate at a deficit. It was just an analysis of an accounting analysis or assessment of what would be in a vacuum.

So again the residential permit-parking program does not operate in a deficit there are other revenue streams that come in to help facilitate the enforcement of parking throughout our city. Again, that was just a miscommunication and correspondence was sent to all Council members dated January the 11th, but I wanted to make that publicly known.

Mr. Ferlo:

I got it. It didn't make any sense to me.

The Chair:

It only showed the cost and when we added the cost to hire the 16 extra patrol people also to write tickets, it didn't show what they brought in.

It didn't justify their cost and Ms. McDonald they are going to send us a statement on that what the 16 officers really bring in? At least a wash or possibly revenue enhancer.

Ms. McDonald:

Again, Mr. President, if I may just read just a paragraph from Director Horgan of the Pittsburgh Parking Authority. It says, as my December 16, 1998 letter stated RPP in and of itself is priced below our cost to administer. The residential permit costs are kept deliberately low so as not to penalize residents whose only transgression is to live in a neighborhood where institutional or commercial development has been strong.

This strategy was envisioned by the 1995 co-op agreement. It's important to remember that the authority only enforces the areas defined by the City Planning and ratified by Council. The authority has no control over where an RPP area is established but we willingly assume responsibility for its enforcement. Giving the increase and expansion of the RPP areas, which is a subject of the debate just about all of the time on Council, it appears to be a popular program by necessity. If

there is a problem they said to give him a call.

But again, it is something -- again, it was just a miscommunication. It was a non-understanding that the media you know pounced on and it was not true. It is not operating at a deficit; everything is fine and dandy.

Mr. Ferlo:

Unrelated issue, Mr. President. There are a couple of individuals one of them is a great individual in my Council District, Ms. Sheila Titus in the Lawrenceville Community was recently honored rightfully so as a great Block Watch Captain and Community Activist and she was honored with one of the Jefferson awards. This is an annual activity by the Pittsburgh Post Gazette in conjunction with the Jefferson Award Society. I think there were a number of individuals that were given this prestigious award. I believe you also have an individual in your Council District and some of the others may not necessarily live in the city, but I am sure their good work and impact is felt by many throughout the city and around the region.

I would like to ask respectfully if we could as a joint action of all of Council bring the representatives in and maybe have a little bit of a ceremony here in the next few weeks? But I would like to do it on behalf of all of our colleagues regardless of who actually is being recognized. I think Ms. Titus would obviously be honored to come down here. I think if you could approach the individual in your district and maybe we can extend an invitation to the Jefferson Award Committee to also appear.

So, if there is no objection, I would like work on that with the staff and the Clerk's Office and do it on behalf of all of our colleagues.

The Chair:

I think that is a good idea from all of us all the work they do and there are quite a few individuals awarded. In fact, I am trying to keep ahead of Mr. Ferlo, this is Shield's picture it was in today's paper and Homer Craig from Hazelwood. He and his family do an outstanding job; they are in the community all the time. So many organizations and congratulate all of them on behalf of all Council members.

I think it is a great idea to bring them down so we can give them special recognition.

Mr. Ferlo:

Thank you very much.

Mr. Cohen:

I think that's a very good idea. One thing that just occurred to me maybe we should also include some of the judges for the Jefferson Awards. There happen to be a couple of judges I know of who are in my district they actually spent a lot of time at this going through applications. So, maybe even just a representative from the judges so we can thank them too.

The Chair:

I will let the Clerk's --

Mr. Ferlo:

What about the folks from the Post

Gazette, they are allowed to attend. If it is appropriate we will invite everybody. I don't know what their procedures are. Maybe some of the judges don't want to be known that they are judges. I know I have been called in the past and asked questions about different folks.

The Chair:

Well, Linda, I will let you organize the program and make sure everyone involved gets special recognition and thank you for all the work they do.

Anything else under motions and resolutions?

Motion to approve the minutes.

MR. COHEN moved to approve the minutes.

MR. DIVEN seconded the motion.

Which motion prevailed.

The Chair:

There is a Public Hearing today at 2:00.

MR. HERTZBERG moved to adjourn the meeting.

MR. FERLO seconded the motion.

And on the motion made by Mr. Hertzberg, the meeting adjourned.

ADDENDUM

Mr. Ferlo's and Mr. Diven's comments on Bill 1063 can be found in the Standing Committees Meeting minutes of January 6, 1999.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXIII

January 19, 1999

No. 3

Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, January 19, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

Will you all please rise for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

We have two special guests with us, Jeffrey Osterman and his brother Jordan. Jeffrey is 13 in the eighth grade and Jordan is 11 years old in the 5th grade. They both attend Our Lady of Grace School. They are accompanied by their parents, Dave and Kim, and they live in

Michael Diven's District, District Four. Gentlemen, please come up.

Jeffrey and Jordan Osterman:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you. Thanks for coming down. We have a gift for you from Council and myself, a flag of our city and our country.

PRESENTATIONS

Ms. McDonald:

We have a representative from the Central Blood Bank, it is Volunteer Blood Donor Month and because Councilman Cohen was the lead sponsor on this, he has the information. So I haven't even had a chance to introduce myself to you or you to me, but come on up and we will get acquainted.

Susan Lucas and she's the Public Relations Representative for the Central Blood Bank. I am going to read the resolution and in Councilman Cohen's Office there is a real resolution to hand to you that has the city gold seal.

**MR. COHEN AND MS. MCDONALD
PRESENT:**

No. 1146 WHEREAS, the tradition of donating blood started during World War I to support wounded soldiers and in 1937 the first community blood center was established by volunteers in Chicago; and

WHEREAS, in 1951 the Central Blood Bank of Pittsburgh was established to serve our community and provide the needed blood for accident victims, people undergoing surgery and patients receiving treatment for cancer, leukemia and other diseases; and

WHEREAS, the Central Blood Bank of Pittsburgh has grown to serve forty hospitals in the region and has a minimum daily need of 700 donors in order to adequately serve the public; and

WHEREAS, the American Association of Blood Banks, American Red Cross and America's Blood Centers have joined forces to promote blood donation during the month of January - traditionally a time when blood donations decline; and

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend the Central Blood Bank of Pittsburgh and proclaims the month of January 1999 as Volunteer Blood Donor Month in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Ms. McDonald:

Thank you. Without further ado, I am going to defer to Councilman Cohen who is the lead sponsor and who has written this resolution to co-sponsor with me. Susan Lucas, she's not Director she is a Representative of Public Relations of the Central Blood Bank.

Mr. Cohen:

We have no lead sponsor we are co-sponsors. I want to thank Valerie McDonald for co-sponsoring this with me. Valerie, I don't know if you mentioned but you actually worked for the Central Blood Bank years ago and that certainly was an important service for the city.

Many of you heard the media alerts last week or the last two weeks about the need; the desperate need for blood here in the Pittsburgh area. That need is still a critical need and it obviously is essential for the health of people in this region. Somebody who is working very hard on this everyday is Susan Lucas. I want to really thank her for the tremendous amount of work that she's done. I saw it first-hand at the Blood Bank last week giving blood myself and seeing Susan in such an optimistic mood and enthusiastic about bringing people in and about the need for blood for health care for those people who are in desperate need of blood.

We are actually in a situation where the Blood Bank has advised local hospitals to postpone elective surgery. I am sure Susan will get more into the details when she gets up here, but that's a serious situation. She explained to me if we had a serious trauma accident in Pittsburgh, that there is a question now as to whether we would be able to supply the blood. So now that the weather at least

this latest round of snow and ice is melting and the weather is getting little bit better, I hope that we can get more people out to give blood. Because it is one of the best deeds you can do for your fellow citizens.

Without further ado I would like to bring Susan Lucas up here to accept this proclamation on behalf of City Council and to tell us what the current situation is. Susan, thank you very much.

Ms. Lucas:

Thank you. Hi, I would like to thank City Council for sponsoring this. Ms. McDonald and Mr. Cohen for taking the time to recognize Central Blood Bank and our urgent need. We are still currently in an emergency level situation although now that the weather has lifted a bit things are starting to turn around for us.

I have a special presentation actually for the two of you to honor you and thank you for your recognizing Central Blood Bank, the National Volunteer Blood Donor Month.

Councilman Cohen, especially you since you are one of the first to respond to our urgent appeal, I have a red badge of courage award for you for National Blood Volunteer Donor Month. Valerie, as a co-sponsor and also a fellow colleague prior to this at the blood bank, we would like to thank you. Thank you.

Actually Councilman Cohen covered pretty much everything. We do need to see 700 donors every day and it is a social responsibility of our community to respond to this call. The call here in Pittsburgh is more urgent as we have established ourselves as a medical hub

within the nation and the world and treating all the patients that our fine hospitals do. So we urge you to urge your community members to step out and donate as often as they possibly can, which is every 56 days. Thank you.

The Chair:

Susan, I might take the lead of our two colleagues, I would like to suggest we all go down as a group. I would like to suggest we go down as a group, if we can do it this week. I don't know if Dan, maybe your 56 days aren't up. But we can take your lead and try to pick a day. If you will contact our office, in fact Dan can ride us down and make sure no one chickens out.

Ms. Lucas:

I will be more than happy to have all of you. I will give you a call.

The Chair:

We have one to be read into the record for Mr. Udin.

MR. UDIN AND ALL COUNCIL MEMBERS PRESENT:

No. 1147 WHEREAS, The Spirit of King Award is annually observed by the Kingsley Center, the Pittsburgh Pirates, and Port Authority of Allegheny County in January to commemorate Dr. Martin Luther King, Jr's birthday; and

WHEREAS, Spirit of King Award is observed today, January 15, 1999 by the Kingsley Center, the Pittsburgh Pirates, and Port Authority of Allegheny County; and

WHEREAS, now celebrating its 14th anniversary the Spirit of King Award has consistently honored local citizens for their outstanding efforts towards the pursuit of human rights and equality in the spirit of Dr. Martin Luther King, Jr.; and

WHEREAS, the Kingsley Center, the Pittsburgh Pirates, and Port Authority of Allegheny County continue to recognize individuals for their lifetime achievements; and

WHEREAS, the common goals of the Kingsley Center, the Pittsburgh Pirates, and Port Authority of Allegheny County will enable them to continue to recognize deserving individuals for their tireless efforts and dedication to the service of others. The honorees of this award have helped to make the world a better place.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh declares the month of January, hereafter, to be Spirit of King month in the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

I would like to welcome to Chambers the 32nd Ward Chairman John Terlecki. Thanks for all your help and good job in the city.

We will now move to presentation of papers.

MR. COHEN PRESENTED:

No. 1148 Resolution Providing for an agreement or agreements, or use of existing Agreements and/or Contract or Contracts, or use of existing Contracts, and for the purchase of materials, supplies and equipment and/or services in connection with the Renovations and Maintenance of Various Public buildings and elevators; in an amount not to exceed \$190,000.00.

Which was read and referred to the Committee on Lands, Buildings & Procurement.

Mr. Ferlo:

This is being presented by Ms. McDonald and myself.

MR. FERLO AND MS. MCDONALD PRESENTED:

No. 1149 Resolution designating the East Liberty Nabisco Bakery Project as an Industrial Development of the Steel Valley Authority and Approving of the Authority's Exercise of its Power of Eminent Domain in that Project. — (SPONSORED BY MR. FERLO & MS. MCDONALD)

Which was read and referred to the Committee on Finance and Budget.

MR. FERLO moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced, so the bill will be on the agenda this Wednesday.

MS. MCDONALD seconded the motion.

Which motion prevailed.

MR. HERTZBERG PRESENTED:

No. 1150 Resolution Transferring the amount of \$7,000 from Sub Class: 010, Salaries, City Council, Account: 511000, Org: 101100, Fund: 1000, Budget Year: 1999 to Sub Class 150, Miscellaneous Services, City Council, Account: 526125, Org: 101100, Fund: 1000, Budget Year: 1999. Council District #2. ---**(SPONSORED BY MR. HERTZBERG)**

Which was read and referred to the Committee on Finance and Budget.

No. 1151 Resolution Vacating a portion of Rodman Street, 40 feet wide, from North Highland easterly to its dead end in the 11th Ward, 9th Council District of the City of Pittsburgh.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced, so the bills will be on the agenda this Wednesday.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Also,

No. 1152 Resolution Vacating a portion of Fall Way, between Serene Street and Admiral Street in the 24th Ward, 1st Council District of the City of Pittsburgh.

Which were read and referred to the Committee on Public Works. Water and Environmental Services.

MR. RICCIARDI PRESENTED:

No. 1153 Resolution authorizing and Directing the City Controller to create a Trust Fund dedicated for the sole purpose of employing part-time drivers and laborers to assist with the Dept. of Public Works' Snow and Ice Control Program. The Trust fund will entitled STORM TEAM TRUST FUND. ---**(SPONSORED BY MR. RICCIARDI)**

No. 1154 Resolution authorizing and directing the Budget Director and City Treasurer to collect and deposit all payments received from the State of PA Municipal Service Agreement into STORM TEAM TRUST FUND. ---**(SPONSORED BY MR. RICCIARDI)**

No. 1155 Resolution authorizing and directing the Directors of Public Works and Personnel and Civil Service to recruit and employ part-time drivers and laborers to assist with the Dept. of Public Works' Snow and Ice Control Program. ---**(SPONSORED BY MR. RICCIARDI)**

Which were read and referred to the Committee Public Works, Water & Environmental Services.

No. 1156 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program (RACP) in the amount of \$7,000,000.00 for the North Shore Revitalization Project. ---**(PRESENTED)**

BY MR. RICCIARDI & MR. HERTZBERG)

No. 1157 Resolution Authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer of funds from the Authority to the City to fund community development corporations. --- (PRESENTED BY MR. RICCIARDI & MR. HERTZBERG)

No. 1158 Resolution Authorizing a 1998-1999 Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the designation of the local matching share for a grant applied for in a Single Application for Assistance filed with the Pennsylvania Department of Community and Economic Development ("DCED") under the Communities of Opportunity Program for a \$3,215,000.00 grant. --- (PRESENTED BY MR. RICCIARDI & MR. HERTZBERG)

No. 1159 Resolution Authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application for Financial Assistance in the amount of \$3,215,000 to the Commonwealth of Pennsylvania Department of Community and Economic Development for the Housing Recovery Program, Neighborhood Housing Program, Community Development Investment Fund, Pittsburgh Housing Construction Fund, Urban Development Fund, Streetface, and Industrial Site Acquisition Programs. --- (PRESENTED BY MR. RICCIARDI & MR. HERTZBERG)

Which were read and referred to the Committee on Housing, Economic Development & Promotion.

MR. RICCIARDI moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day in which the bills were introduced, so the bills will be on the agenda this Wednesday.

MR. ONORATO seconded the motion.

Which motion prevailed.

MR. UDIN PRESENTED:

No. 1160 Resolution Providing for the issuance of a \$4,527.00 warrant in favor of John Royster, 1345 Manning Street, Pittsburgh, PA 15206 in settlement of a claim in which claimant's property was damaged due to a razing of a three-stall brick garage by the Bureau of Building Inspection.

No. 1161 Resolution providing for the an agreement with Dickie, McCamey & Chilcote, P.C. for professional services for the City Controller not to exceed \$80,000.00 chargeable to and payable from account 526100, fund 1000, org. 106000, sub 150, budget year 1999.

Which were read and referred to the Committee on Finance and Budget.

The Chair:

Thank you. Any unfinished business to come in front of Council? Hearing none, move to Reports of Committees.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1162:

Report of the Committee on Finance and Budget for January 13, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1135:

Resolution authorizing the Mayor and General Service to enter into an Agreement or Agreements with Laurel Bank to enable them to place an ATM Machine in the Pittsburgh Municipal Courts building located at 600 First Avenue, Pittsburgh, PA 15219

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Bills are now ready for final action. All in favor of the passage of the bills vote aye when their names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. O'Connor
	(Pres't)

AYES Eight NOES None

Bills have received the legally required number of votes and have passed finally.

MR. RICCIARDI PRESENTED:

Bill No. 1163:

Report of the Committee on Housing, Economic, Development and Promotion for January 13, 1999, transmitting two resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1121:

Resolution amending Resolution 298 of 1998, as amended, entitled, "Resolution providing for an Agreement/s with various community organizations for operational/administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities, at a cost not to exceed \$1,134,945," so as to reprogram funds in City Council. **(SPONSORED BY MR. FERLO).**

Which was read.

Also,

Bill No. 1122:

Resolution amending Resolution 291, as amended, entitled, "Resolution providing for the filing of a Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a

grant in connection with the 1998 CDBG Program," so as to reprogram funds in City Council. (SPONSORED BY MR. FERLO).

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills? Bills are now ready for final action. All in favor of the passage of the bills vote aye when your name is called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. O'Connor
	(Pres't)

AYES **Eight** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

The Chair:

Under motions and resolutions.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

Yes I have several housekeeping matters; I will try to be brief. First of all, Mr. President, I believe there is a Public

Hearing this afternoon, conditional use hearing. I know I am sure many colleagues including myself have been -- people have attempted to communicate to colleagues. I actually haven't responded to communication. I have tried to explain to people that when we have a Council Public Hearing reviewing a conditional use application, we sit in a quasi-judicial forum.

So I have actually refrained from speaking directly. I have had judges call my office, administrators, non-profit groups, community folks both for and against, the Mayor's Office, and I have tried to explain why I am not responding. I am waiting to hear all the testimony this afternoon.

I have a number of questions and issues but I am sure it is going to be a productive Public Hearing. Everybody will have an equal opportunity to speak to Council. I would hope that as we run that Public Hearing be mindful of the perimeters of Council's consideration, we are looking at the issues of detrimental impact on whether or not the CISP Program should be approved and in its proposed new location.

So I just wanted to clarify that for the public record. But it is this afternoon, I believe here in the Chamber at 2:00 and I am sure there are a number of people that are interested in speaking.

Mr. President, last week I submitted --

The Chair:

Is that televised? Do you want it televised?

Ms. McDonald:

I won't be Chairing. I won't be able to attend that. I believe Councilman Ferlo that my staff had inquired if you would be able to Chair since it is your district.

Mr. Ferlo:

I will respond to whatever President or President Pro Tem decides.

Ms. McDonald:

It is up to you.

The Chair:

It's a good motion and I would like you to Chair that today.

Mr. Ferlo:

On a second matter. Last week I submitted a proposed referendum modifying the Home Rule Charter so as to include in the future to expand the powers and duties and responsibilities of the Civilian Review Board to include any potential allegations of complaints that the citizenry might file or may choose to ask the Review Board to investigate. This would involve the 68 plus uniformed officers of the Housing Authority of the City of Pittsburgh. Roughly 10% of our population probably interacts more directly with the Housing Authority City of Pittsburgh Police. They are separate and distinct in all ways from the City of Pittsburgh proper and our own city police force as well as the F.O.P. that it represents through collective bargaining the City Police Bureau.

But the fact of the matter is I don't

see much difference. They have the same powers and duties and responsibilities in terms of carrying out law enforcement albeit targeting within the Public Housing communities. But when you look at the number of residents that are effected, we are talking about roughly 10% of the City of Pittsburgh residents directly or indirectly involving at some point interacting with the Housing Authority City of Pittsburgh Police. I believe that's reasonable for us to extend the powers and duties as well as the protections for the rest of the citizenry that we struggled for the last couple of years in defining the Police Civilian Review Board in the city. I don't think we should treat Housing Authority residents as separate and distinct.

Now there may be more appropriate ways to go than amending the Home Rule Charter. In the end I would like to just extend the activities and the prerogatives on both sides for the Housing Authority community to be able to file if it's appropriate with the Civilian Review Board. It doesn't have to be by way of a charter referendum, that was my one way to move it ahead. I would hope maybe when the bill comes up tomorrow that we would consider having a Public Hearing. I think we should review over the last half a decade what, if any, infractions have occurred regarding the Housing Authority Police. I have heard rumors about hundred of thousands of dollars being paid out by the Housing Authority Board without much public review or scrutiny. But in submitting this resolution I am no way suggesting or making a wholesale attack on the uniformed officers of the Housing Authority, nothing can be further from the truth.

The fact of the matter is we have a

professional police force in the Housing Authority, I think in the last couple of years they have obtained important accreditation being recognized nationally. I know there is a lot of actions by the director and the administration on discipline and manner of protocol. So that's not the impetus for this bill. I want to clarify that. That will come up tomorrow and I hope Council will keep an open mind as we review the information.

I personally would like to see us get some of that information from the Housing Authority regarding their manner of following up on complaints and what kinds of information, similar to what we did in reviewing the rest of the issue for the Civilian Review.

Thirdly, Mr. President, there is a Public Hearing on the 26th before the Planning Commission on an ordinance I submitted months ago regarding minor amendments to the Bed and Breakfast Ordinance. If anyone is interested on that, they can call my office at 255-2140. I will be glad to mail them a copy of the referendum, copy of the amendments to the Bed and Breakfast ordinance.

This is aimed at trying to improve the viability of the Bed and Breakfast lodging facilities, hotels, B and B however you want to phrase it. In the city we have five or six prominent Bed and Breakfast operations. They have been a great plus to the community in my reading.

That Public Hearing is on January 26th. I was going to ask the President if you could possibly schedule a hearing the first couple of weeks of February before Council so that we will have a report and recommendation from

the Planning Commission and we can kind of move on the bill one way or the other. So, I just wanted to clarify that.

The Chair:

If I can ask, at least two or three are in Mr. Cohen's District, if there is a way to notify the residents of that area.

Mr. Cohen:

In terms of Bed and Breakfast?

The Chair:

Yes.

Mr. Cohen:

Sure.

The Chair:

Again, I agree positive input but that is where --

Mr. Ferlo:

Sure community based organization lists will be notified of the B and B legislation and the hearing both through my office and the Planning Commission.

The last thing, Mr. President, is on the street vendors ordinance, I feel like I am attempting to breakdown the Berlin Wall. Councilman Udin has some issues regarding vendors that will come up tomorrow. One is a review-planning group. I don't necessarily object to it, I have a concern about its composition and what its powers and duties will be.

I actually have another bill but in the interest of trying to cross the T's and dot the I's, I have had it reviewed and have secured the services of Deborah Miskovich, who is a legal attorney, obviously an attorney who has a strong background in community issues. She is the past Chair of the Zoning Board, she is on the Planning Commission, Director of General Services, and a City Housing Court Judge. So given her background she is aware of the issues and nuances regarding street vending. So I had the elements of the ordinance, I hope to have it this week finalized and was not able to submit it today. But it's basically complete and it will be submitted.

I don't want my introduction of the ordinance and a companion resolution to be viewed as somehow contradicting or being in conflict of Councilman Udin's issue, it's not. I see them as complimentary. I believe that we need to move on it and I feel that I have a way of moving on it. I would like to put that out for some debate and public review. Everything I am doing I am seeking public input both through Public Hearing, we are not rushing to the judgment on this. But I think it is an important opportunity that we should open up in the city but there needs to be appropriate safeguards and my ordinance attempts to do that.

So, when the bills come up tomorrow I am going to reserve the right to introduce the bill next week and have that move a long kind of on the same tract as whatever we do with Mr. Udin's resolution.

The Chair:

If we have a Public Hearing we don't need two. I have been getting

quite --

Mr. Ferlo:

I don't object to a Public Hearing, but I don't want the work of that committee to delay my bill to move. That's why I have a problem with the 120 days. Because if you have five vendors on a review board, first of all the vendors by themselves in all due respect, I have sought them out for some input but they have a clear conflict of interest. I don't think they should be setting public policy. Because what is good for one vendor, I have one vendor for instance that wants so many carts that if we allow that to be the rule and the ordinance we are not going to have a practical vending ordinance.

I don't object to that review process, but I am reserving the right to move and ask my colleagues to keep moving ahead on either my ordinance or other amendments or other colleagues who may want to submit their own ordinances. The worse thing that can happen is like when you don't want to take any action you form a committee. I don't want that to be the case here.

Mr. Ricciardi:

On three unrelated issues. First of all, I want to thank Councilman Jim Ferlo for the fine work he's done in the past on Bed and Breakfast legislation here in the City of Pittsburgh. Giving them an opportunity to begin business. But also the fine work he's been doing for the industry lately on the amendments allowing them to flourish here in the City of Pittsburgh.

I was involved at the very

beginning, however Councilman Ferlo has put in some long hard work on that. I want to thank you, Mr. Ferlo, for that time.

Also, once again, I would like to tell the public in the City of Pittsburgh but especially the Southside community that tonight at 7:00 p.m. there will be a meeting at Good Will Industries to once again visit the issue of development on the LTV site now known as the Southside Works site. So that is this evening, Tuesday, 7:00 p.m. Good Will Industries.

And on another note, I would like to, Mr. President and colleagues, formally request that the administration forward to this body their position regarding the Homestead Exemption Program here in the City of Pittsburgh. To be perfectly frank with this body, I would like to have a better understanding of it. Hopefully the Budget Director and the Solicitor can let us know in writing so we can forward this to property owners in the City of Pittsburgh and that is the options that property owners have in the City of Pittsburgh regarding the Homestead exemption program.

I would also like to know if we have had any interaction with Allegheny County and what is going to happen regarding the distribution of applications for the Homestead Exemption Program? Also, I am curious if we have had any communication with the School Board and their position. Because obviously you know government is not just going to give back taxes, but there could be an option by the School Board to increase other taxes such as the wage tax. So I am very concerned about that and I would like to know and see if we have had any communication with the School Board.

In effect, I think that I am getting asked a lot of questions. I have had an opportunity to review the legislation but there appears that it's more complicated than the state legislature made it out to be. I am hoping that it turns out to be true tax reform or a true tax relief for the City of Pittsburgh especially the residents.

I am also very concerned about the bill of rights manual that I understand the municipalities need to draft. I think it needed to be on the books in December and hopefully by January voted on. But I would like to know, does the City of Pittsburgh also have to pass a bill of rights manual and if so has the administration been working diligently on that issue?

So, Mr. O'Connor, as President of Council hopefully you could get very involved in this issue with the School Board. I know you have been trying to reach out to the state legislature and the School Board and maybe with Allegheny County and the School Board and the administration and if you or others can report back to us maybe within a reasonable time frame.

The Chair:

Is there a lead person in the legislature that is leading this or would be the --

Mr. Ricciardi:

I am not sure, Mr. O'Connor, who drafted the particular legislation.

The Chair:

I will find out.

Mr. Ricciardi:

Thank you. So, would you take that responsibility for us?

The Chair:

Yes. It's very important again that maybe some of the use of our cable broadcasting if we have this information we can certainly tell our residents more.

Mr. Hertzberg:

On the topic of the School Board, Mr. President, and your efforts there are very much appreciated. I think we had an excellent meeting with the School Board and with some of the state representatives. But you know it is nice to be able to sit down and try to work things out, but there are some issues that are coming up now, at least in Council District Two, where it is going to be very difficult for me to just say okay your proposal is agreeable to me because it is not. There is a proposal being floated I guess by the President of the School Board which would severely impact Council District Two, the western neighborhoods of this city and fortunately at this stage its only a proposal.

There is a Public Hearing tonight, the School Board is holding beginning at 7:30. I have called and placed my name on the speaker's list. I know a lot of the residents of Council District Two are going to be there because they oppose this proposal, which would be a closure of Langley High School, moving of the current students that attend Langley High School into Greenway Middle School, closure of the Greenway Middle School gifted program which just opened within the last couple of years and moving that to

somewhere else. Then a movement into the Langley High School of the Letsche Program and also what I believe is called the Alternative Option Program, Alternative School which is a school where children that are on suspension go to. That's what they would put into Langley, the Letsche Program and this other program.

Needless to say, I oppose it and there are a number of reasons. I won't go into them, but I will go into them tonight at the School Board Public Meeting. I encourage people in Council District Two they tell me that you have until 12 o'clock to call the School Board if you want to be listed as a speaker.

The Chair:

And they're precise, if you don't go by twelve, they probably won't let you talk.

Mr. Hertzberg:

You have one hour to get on the phone.

Mr. Cohen:

On another issue, I thought we had a very productive Post Agenda Meeting last week with respect to the TCI/AT&T transfer issue. It is an important issue of the City of Pittsburgh. It's a transfer that involves \$48 billion to acquire TCI by AT&T and a host of issues that are important to the city including rate issues, customer service issues, technology issues as to what kind of system upgrade we are going to get. I do want to thank yourself and Councilman Diven and Councilman Ferlo for attending. I know it was difficult for some of the other members because of

the bad weather and that many were out in their districts, but I thought it was a very productive session. I am going to be drafting conditions, proposed conditions to that transfer today. Anybody who has ideas as to possible conditions to the transfer, please come to me today so that we can put them on the table tomorrow. The bill was introduced last Tuesday and it will come up for preliminary vote and discussion tomorrow. Thank you.

Mr. Ferlo:

Yes. Thank you, Mr. President. I wanted to thank Councilwoman McDonald for her continued leadership and not turning her back on the Nabisco workers. And, more importantly a tremendous building and potential economic development business activity that building represents which is legally in her district but quite frankly it's a work force and a building that effects all of our districts because it could mean meaningful employment for a large number of workers, many of these workers are city residents. So it's really a citywide issue.

The bill that she and I submitted this morning is an authorizing resolution to allow the Steel Valley Authority to basically use eminent domain powers and it's planning powers to basically acquire the property. So the resolution today is a resolution as I stated earlier it will come up tomorrow for discussion and the administration will be at the table.

I want to thank the continued leadership of the East End Forum as well as Local 12 and the rank and file. I want to thank obviously the Mayor who personally made a commitment never to turn his back on the Nabisco workers and I

think he's stepping up to the plate. His administration to their credit along with Councilwoman McDonald is supporting this resolution to have the Steel Valley Authority act as the conduit, the provider of last resort in their efforts to acquire the property through eminent domain.

They have had a number of bonafide private sector offers for new bakery operations in that building only to have those legitimate offers be stymied and waylaid by the Nabisco self interest. We need to move on this. If you remember, I submitted a similar bill late last fall to create an economic development zone. At that point I was hoping that the URA would play this role the Mayor believes strongly and is supporting the effort of the Steel Valley Authority to do this. I want to thank him for his personal commitment but also thank his administration, Mr. Culligan and others who are working on this with the Steel Valley Authority.

So we will hopefully have some discussion and action on this point tomorrow. Again, I want to thank Councilwoman McDonald for her continued involvement and support. It looks like we will have to do something a little bit differently this time. We have so many things going in this city to the credit of this administration and the Council and the economic development front and maybe some of them have been done through more traditional means. But in this case the leadership of the Steel Valley Authority, I think, should be respected. I think they have the expertise and the resources with the private sector and the administrative organization wherewith all to make this a productive building again employing working people and they're

giving hope to families throughout the East End.

So I look forward to the discussions tomorrow and I thank the administration and the Mayor for their continued involvement as well as the East End Forum for their effective advocacy to the Steel Valley Authority. Thank you.

The Chair:

I can hold for discussion for tomorrow but where is the ownership that has the building now?

Mr. Ferlo:

Still with Nabisco, they have a local commercial real estate firm working on marketing. I think it is called Pennsylvania Commercial Properties or something like that, but it is still owned by Corporate RJR. Again, the best bumper sticker on Forth Avenue is my car, which says boycott Nabisco. I will never buy Nabisco products, I think we should still keep boycotting all the products Nabisco makes. It is not just cookies and crackers, it is everything from A-1 Steak Sauce to Grey Poupon.

I recently bought 30 shares of stock from my IRA. I don't have a lot of money in my IRA, but I did take money out to buy 30 shares of stock. Not because I want to support RJR Nabisco, but I am going to relish the opportunity to attend their stockholders meeting in May and to do nothing more than to take the microphone and explain to Mr. Kilts what a disgusting individual he is in terms of the economic corporate ladder. I look forward to doing that because I think we should keep pressure on Nabisco and keep boycotting

their stinking butts.

The Chair:

Is the Steel Valley Authority going to be at the table tomorrow?

Mr. Ferlo:

Yes. If there are no objections from my Colleagues, Mr. Culligan and the others from the administration, Councilwoman McDonald will be here and the representatives from the East End Forum and Steel Valley Authority. I think they will be able to update us more specifically on some of the economic interests they have had in the plant.

The Chair:

I certainly support the effort. I will hold some of my questions for tomorrow.

Ms. McDonald:

Also I don't want to get involved in a lovefest, I hate lovefests. I want to commend Councilman Ferlo for his efforts long before I got on Council. In fact Jimmy is trying to be very, very cordial and extend a lot of courtesy to me, but he claimed that building years ago.

So again, I commend him for taking leadership even before I was here and supporting the workers and keeping Nabisco here. This travesty, this fiasco could have happened years ago without the efforts of people like Ferlo, the East End Forum, the people in the East End Forum, there are many out there that saved Nabisco for years and years. Now we have come to the end of the road, but again we have to look at this as an opportunity and

we are going to make it an opportunity and make it work for us.

I look forward to tomorrow's discussion. It seems like there are going to be a lot of bills that involve a lot of dialogue. So it should be quite a long meeting tomorrow.

The Chair:

We all look forward to that.

In closing, you see I had a rough weekend. But it was a mistake I made, I actually shoveled but I didn't put enough salt down. I believe I have had some requests the ice and snow was so bad that I believe most people couldn't even do their sidewalks if they tried, if they wanted to. But it is melting now and I have got some calls from mail carriers. So this is really a time to get out and make sure we spruce up in the warmer weather, carrying salt, I was a little chintzy on the salt when I did do it, I wish I had put more down storing ahead. So it is a public safety issue and the garbage men are out there.

So hopefully we can all be good neighbors and spruce up our corners. But the good news, I know I had a bad day, but I also had a good day the same day. I have a new granddaughter, Delaney, seven pounds three ounces. Thank you. So we will remember this weekend. Her birthday will be a special day.

I did run into Edgar Snyder and asked if I could sue my wife because she owns half of the house, but he said he can't get any money from me.

Mr. Ferlo:

You are allowed to sue your home insurance carrier, but I will let Mr. Hertzberg and Mr. Onorato tell you about that.

Mr. President, one of the issues I raised last week when everybody else was talking about snow, I actually wanted to talk potholes, which I started talking about last week. As you know we have had a rough winter already and I don't know about your district but my district I have many prominent roads and back alleyways that look like the Birmer (phonetic) Road right now.

I realize Public Works is 50 different responsibilities doing a great job working very hard. But for the days that it gets up past 40 degrees, I am not sure what the best method is or how warm the streets need to be or what has to happen, but there are some potholes that are literally five and six inches deep at least in my district, and I am sure I am not alone. Again, it is the curse of Western Pennsylvania and I can go on and on about this investment in our roads by all levels of government, but if there is anything that can be done to make an extra effort even volunteers give us. I mean I will be glad to join a work crew and try to fill some of these potholes. I am sure other colleagues will.

But we have a really bad situation there and an awful lot of front ends are going to be backends over the next couple days. If we can send a message to Director Kraszewski and the administration, I know in the past they have had a pothole hotline, the state does. But we just have some really bad situations. The problem is that and it actually is a serious safety concern because people once they realize it's a pothole and it is filled with water and they

realize it is six inches deep, their first reaction is either to swerve into another lane or to brake. So I can see cars being rear-ended and the like, so it is a serious Public Safety concern also.

The Chair:

I just saw in the news that the insurance business will be up \$5 billion just because of mainly on the potholes not just here but across the country.

Ms. McDonald:

Also, one element that we did not discuss at the time we had a Post Agenda, pre-meeting Post Agenda last Wednesday we discussed the county roads, we discussed city roads, but we failed to discuss state maintained or state roads. It occurred to me as I drive home, my main routes are state roads. So, we do maintain also state roads.

So if we do have either more discussion or there is an audit that comes forward from the City Controller's Office, personally I am going to communicate a memorandum asking that these other factors be included in the report so we can have an over all picture. It's easy to fight with the county but we also have state roads too and PennDot is responsible for their road system as well. I would like an overall picture including state roads.

Mr. Ferlo:

The Bellfield Avenue in Oakland right now --

The Chair:

The city has a hotline that has been

on the news all weekend to call. I spoke with Ralph; they did have crews out all weekend. I don't know how many they actually had, and I am sure today they will be out full force and let's support their efforts.

Mr. Cohen:

On that issue, Mr. President, I suggest that we ask for a weekly report from Director Kraszewski solely on the issue of the filling of the 52 positions of Public Works. Because clearly we're not going to be able to have the kind of pothole filling team out there unless those positions are filled. We did have a pre-agenda agenda last Wednesday, where I think a lot of questions were answered but the main question that needs to be answered is when are those 52 positions going to be filled? I know they are working on them, but I wonder if you can ask, if we can ask through writing to have a weekly report from Director Kraszewski as to how many have been filled and how many are remaining.

There are some streets in my district that look like swiss cheese already. I am not blaming Public Works because of the number of laborers they have now that have been working so hard, but we need to fill new positions.

Mr. Hertzberg:

I concur with Councilman Cohen, I think that's a good idea, but I think we need to ask Director Parees to also be involved in that. I did ask Director Kraszewski that question during our meeting last Wednesday and you know first you have to check to see who wants to transfer from other departments to take

those positions, there is a lot to the process unfortunately. I wish we had all those spots filled today, we don't. But certainly personnel is heavily involved in those processes and some of them are time consuming and maybe we can find some ways to make them less time consuming and get the positions filled quickly. I think we need personnel's involvement as well.

Mr. Cohen:

Real quick, just through your effort can we ask for a weekly report because I think that would also put more pressure on to get it done if they know they have to report to us on a weekly basis?

Mr. Ferlo:

I want a further clarification. I am sure I am not alone but a number of individual residents have called my office seeking employment as a laborer, because they have heard the public discussion that we are hiring. I think it maybe the case that they're actually not, they're using an existing list of laborer applicants and not having reposted it. In which case, many people who start calling our offices are not going to be considered I assume, so I would like --

Mr. Hertzberg:

There is no opening posted right now.

Mr. Ferlo:

That is what I mean, there is no opening posted. So, really it is whoever's name is presumably on some list somewhere. I assume it is public information, there should be some kind of a list posting by personnel but we should

try to get a clarification of that because people are already calling my office I am sure other colleagues also.

The Chair:

Mr. Hertzberg, would you like to follow up on that? Plus if there are any past laid off city employees over the years who may be able to fill those positions.

Mr. Ferlo:

I want to reiterate my concern. I believe strongly that if we are posting the position, if it already happened we can't do anything, but we should hire laborers who have a CDL license. That makes them twice as productive in terms of the activities they can be involved in when they are working. I would ask that that be considered by the administration as a pre-requisite for hiring folks in the future in the laborer class.

The Chair:

I believe in your Post Agenda on one of the meetings that came up. I would suggest you put it in as legislation or make sure it is part of their job description.

Mr. Ferlo:

The administration is really in the driver's seat on deciding and defining what literally -- deciding what the job specks are, they should just do it. I mean, I think it greatly enhances -- you have labor and Public Works on the rat packer, on the garbage, I mean any number of different job classifications.

The Chair:

It also helps each other work. It has to start being a team effort. I mean instead of a truck driver standing there and watching people.

All right. Just real briefly follow up on our meeting we had with the School Board and the legislators. We actually had 44 people RSVP that they were coming, the weather certainly cut that down. But a couple of key issues, we are going to have some smaller meetings on this. The two main points we hit on was by the end of February the School Board would come up with two proposals and City Council two requests from the legislators. Probably basically what we would be probably looking at is the courts money, possibly assistance in our pension fund. They felt if we gave them two things that we all agreed on, that they could go full force and go after that money for us and the School Board whatever those priorities were.

But concerning Ms. McDonald's part on the state roads, Mr. Diven has been suggesting there may be state money out there for whether to buy extra asphalt to support those roads. There are all those things that I think this can lead to. Right now we want to have quarterly meetings with the legislators, but there is so much out there that we can explore and I believe help support us.

So any of those suggestions or ideas will be coming forward. Again, they are state/county roads that we don't know if we are getting our share. I don't want to open the discussion of last week whether the mileage is right or not, but future projects. Glenwood Bridge, has been in dire conditions for a couple years. I have been after the state, I understand it is the county's. So the state and county,

someone has to get together and start fixing some of this equipment. It can be done by not just city taxpayers. So we had a very good discussion. I will be briefing each of you, the couple that could not make it where we go from here.

With that said and I also want to excuse the absent member. Mr. Udin is tied up in a meeting. He was trying to make it, evidently he is still in that meeting.

MS. MCDONALD moved to excuse the absent member.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. HERTZBERG moved to approve the minutes.

MR. ONORATO seconded the motion.

Which motion prevailed.

MR. ONORATO moved to adjourn the meeting.

MR. HERTZBERG seconded the motion.

And on the motion made by Mr. Onorato, the meeting adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXIII

January 26, 1999

No. 4

Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER..... City Clerk
JOHN R. MASCIODeputy City Clerk

Pittsburgh, PA
Tuesday, January 26, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

We will all please rise for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the word.

This morning we have two special guests. Stacy Stoller, she is the daughter of Jane and Steve Stoller. They live in Swisshelm Park. She is in the third grade at John Minadeo Elementary School. Also with her we have Morgan Carr, she is the daughter of Holly and Edward Carr who

live in Greenfield. She is also in the third grade at Minadeo School. Needless to say they live in my Council District.

Stacy Stoller and Morgan Carr:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you. Ladies, we have a gift for you from City Council, a flag of our city and country.

We have many special guests in the audience today.

PRESENTATIONS

Mr. Ferlo:

Mr. President and members of Council, a couple of weeks ago we learned of the important community service awards that were given by the Pittsburgh Post Gazette as part of their annual Jefferson Awards. And, all of us agreed it would be appropriate and right for all of us on behalf of city government and all of our elected colleagues here today to ask that the honorees come to Council chamber for a formal proclamation.

At this time, I would like some of the honorees to come forward. I believe there are seven honoree certificates

actually I think involving eight individuals. A number of them did take the time and were able with their busy schedules to come to chambers today. I believe Homer and Ursula Craig, Patrick Dickinson is here with his family, and they're all welcome to come forward at this time. Sheila Titus is here from the Lawrenceville Block Watch Community, I believe Daniel Grealish is here also. If there are others who I failed to know or see in the audience that are one of the -- excuse me, also please come forward and family members. Ms. Dickinson, you're welcome to come up and be proud of your son. Anybody associated with the awards or are here for friends or family, you are welcome all to come forward.

I thought following the resolution we could ask each one of the individuals to maybe say a few words and talk a little about the contributions they have been making and how proudly they are of their work. We certainly are proud of their good work.

MR. FERLO AND ALL COUNCIL MEMBERS PRESENT:

No. 1164 WHEREAS, the Community Champions Jefferson Awards Program was established for Western Pennsylvania in 1976 by the Pittsburgh Post-Gazette; and

WHEREAS, the Community Champions Jefferson Awards Program is presented Annually on behalf of the American Institute for Public Service; and

WHEREAS, Pittsburgh is one of 61 U.S. cities participating in this program which highlights public and volunteer service; and

WHEREAS, of the 200 Community Champions nominated during 1998, eight have been selected to receive the Jefferson Award by a Community Judges Panel consisting of members of the philanthropic, religious, educational, medical, corporate and governmental communities; and

WHEREAS, the following individuals were presented with their Jefferson Award medallions at a special presentation on Wednesday, January 20 at the Frick Art and Historical Center: Ursula and Homer Craig, Myron Cope, Patrick Dickinson, Daniel Grealish, Mel Pollock, Georgia Sled, and Sheila Titus; and

WHEREAS, these individuals are role models exemplifying the best in community spirit, selflessness, compassion, and volunteerism;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends and applauds the good work of these Jefferson Award winning Community Champions and does proclaim the week of Monday, January 25, 1999 to Sunday, January 31st to be Community Champions Jefferson Awards Week in the City of Pittsburgh.

MS. MCDONALD moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you very much. We have a proclamation signed by all of our

colleagues here. I noticed the Council President also took the time to be at the Frick Center the other evening. As usual the Post Gazette put on a wonderful program rightfully in a beautiful historical building in Point Breeze bringing these wonderful individuals together.

Pittsburgh and the Pittsburgh area is very blessed each and every year with thousands of unsung heroes and heroines, individuals such as the folks to my left. I think it's only right and proper and appropriate that every once in a while we take time to say thank you to people that really dedicate themselves personally with their heart and soul and their blood sweat and tears into things that they believe in really helping people. They spent a lot of time, a lot of energy, a lot of personal sacrifice even often times even their own financial resources to do a good deed. I think we should applaud the efforts of the Jefferson Award Committee to really begin to highlight the good work.

One of the things that makes our city so great and our region so great when people say Pittsburgh is a great place, really it is epitomized by the good efforts and work of these ladies and gentlemen to my left. I think we want to just take one time here today to say thank you very much from the bottom of our hearts and for the many people that you have helped each and every day throughout the year who maybe can't be here in chambers to say thank you or maybe even physically aren't in a position to say thank you. We want to say thank you on their behalf and applaud your good work and thank you very much.

I am passing these out, I thought maybe it would be appropriate we do want

to give everyone at least their 15 seconds of sunshine here today and this is a wonderful assembly of individuals. Again all of my colleagues are here to say thank you. We join together with this proclamation. I thought maybe it would be helpful if you just come up and say a few words. We just want to put you on camera and say thank you, but more importantly you may want to highlight some of your good work. We will put Mr. Dickinson on the spot here from the Boys and Girls Club.

Mr. Dickinson:

I feel special to get to go first, but I just would like to thank the city for honoring me and the Pittsburgh Post Gazette and TCI and United Way for making this possible. Also I would like to thank my parents who are role models for me and the Boys and Girls Club and their staff who really inspire me to volunteer and to become involved. Mike Hepler of the Boys' Club has always been a role model to me and has really helped me through life. I really appreciate this. Thank you.

Mr. Ferlo:

I am not sure which one of the Craig's.

Mr. Craig:

Thank you. I would like to thank everyone who made this possible for us to be the symbol, because we really appreciate this award. Actually we accept it for all the other people that are out there and unsung that are doing these things. I especially want to recognize and acknowledge my wife, Ursula, my

maternal grandmother, Lucille Thompson, my father, Henry Craig, and my mother Rebecca Craig for making me the man that I am, whatever that is. Thank you.

Mr. Ferlo:

Mr. Grealish and then Mr. Pollock, would you like to say a few words?

Mr. Grealish:

I would like to thank everyone at City Council here. There are a lot of unsung heroes in Pittsburgh. Pittsburgh is some place special because of people like this and the hundreds and thousands of people that volunteer their time.

I would like to especially recognize the YMCA. It does a lot of work in the community, the United Way who helps fund a lot of agencies. It is the agency's principles who dedicate their time and effort and yes it is paid professional but at the same note they go above and beyond the call of duty. Thank you.

Mr. Pollock:

I am Mel Pollock and I am very active with many organizations. I guess I am the chaperone of the group because I am the oldest one here and I am proud to say I will soon be 81.

I guess my life is started and after retirement and I hope I set a role model for a lot of people who are interested in helping children. I teach art, impressionists art at the East Hills Elementary School. I have been doing that for 15 years. I have established Pops in the Park at Boyce Campus in Monroeville. I am active at Boyce Campus and

Chairman of the Monroeville Arts Festival and of course very active with the AIDS movement here in Pittsburgh.

My wife and I founded Jews with AIDS in the Family and it is an ongoing family that gives support to those people. I guess if anything, I would dedicate this wonderful honor, and I wanted to thank all those who are responsible for it, to my two boys, both whom died of AIDS. I know that they're kind of looking down at Dad at this time.

So I want to thank everybody for what they have done and it's a tremendous honor in my life. Thank you.

Mr. Ferlo:

Thank you, Mr. Pollock, for being such a great inspiration for us. This next lady I give her a little extra time, she is usually bashful when she comes to chambers, she is not bashful when she is in front a bulldozer or at a Public Safety meeting with the police commander. I called her in the newspapers Sheila takes no prisoners Titus. She is a wonderful lady, comes from a good family down in the Lawrenceville community. She is a hard worker her co-worker Jimmy Jenco is here from the Lawrenceville Block Watch Network.

Sheila has really worked very, very hard to make Lawrenceville a wonderful community. I would like to say hello and welcome, Sheila.

Ms. Titus:

You are something else. You know what, I thanked everyone else but you know who I forgot to thank most of

all, Sargent Tony Lash from Zone Two. He was the one who recommended me for this award for the community. I really wanted to thank him and I forgot about him.

There is Jimmy and Pat and Arty that works with me at the Block Watch. But there are thousands of people in Lawrenceville that I am not the only one that does it. I mean I seem like it because I am the big mouth of the crowd but there are a lot of people that work, they do a lot of things. We have people tracking down things and knowing things, people call me, I sit and talk to people until one and two o'clock in the morning. It's just not me; it's a lot of people that do it. I am not the one that you hear and see all the time.

I want to thank everyone for this and Jim too because he keeps putting me up here all the time. So thank you.

Mr. Ferlo:

Again, on behalf of all my colleagues we want to thank all of you very much for your great work. I wanted to ask my colleagues if they could please join us for a group photo with this wonderful looking delegation here.

I don't know if there was anyone here from either the PG or the Jefferson Awards Committee, they're, if they were they are welcome to come up also. We kind of called them at the last minute I apologize for that. Mr. President, could we ask you to help put this group photo here.

The Chair:

Jim, before your honorees leave, I want to say one thing I know I am

speaking for all of my colleagues, this is a real inspiration of role models as Dan said. If you really want to look at the age gaps, the gender gaps, all the work they have done. I know half of them very personally. The Craig's are at every meeting in Hazelwood. Mel, what you do in East Hills School, my son goes to East Hills School. I saw him their years ago in Hazelwood he has a background in retail and he goes in and works and lines up clothing for the young men that need it.

I guess our message is and all of you Nabisco workers you will be busy back to work shortly, but in your spare time I think one of the major problems people don't realize they have something to give. They say I am not the Vice President of a company. I don't know all this and that, but we all have something to give. If you can learn from them there is so much you can do for our community. I would really urge all of you to look at what they have done, they are certainly role models for all of us.

I want to thank all of you on behalf of Council members for what you do for our city.

Ms. McDonald:

Good morning, would all representatives of YouthBuild please come forward? Thank you all very much. I want to read the resolution, which is self-explanatory. This is another successful year of graduation for YouthBuild.

MS. MCDONALD PRESENTS:

No. 1165 WHEREAS, YouthBuild Pittsburgh, Inc. is a vehicle which

positively impacts the lives of our youth by empowering them through the development of technical, academic, leadership and life skills resulting in self sufficiency and personal growth; and

WHEREAS, the trainees of YouthBuild Pittsburgh, Inc. have completed the restoration of three homes this year. Located at 801 North Lang Avenue, 7212 Race Street and 7137 Hamilton Avenue; and

WHEREAS, the abandoned houses were made available to YouthBuild Pittsburgh, Inc. through the collaboration of The Urban Redevelopment Authority, Mellon Bank and The Economic Development East. HUD and Americorp sponsored the trainee members who participated in this worthwhile project; and

WHEREAS, a graduation ceremony will be held at 1:00 p.m. on Saturday, January 23, 1999 at the Greater Pittsburgh Coliseum; and

WHEREAS, YouthBuild Pittsburgh, Inc. is in its seventh year of conducting trainee classes. The 1998 graduating class include the following members:

Edward Allie, Shan Booker, Jason Brown, Kareem Clark, Edward Collins, Michael Copeland, LaRon Cottrell, Sam Criswell, James Gibson, Brian Jackson, Sheldon Jones, Bill Lowe, Kaiwan Montgomery, Torrence Paul, Fela Powell, Ebony Thomas, Schnaulda Thomas, Deon Valentine, Najeena Walker, Shawnee Young, Fred Cade, Ina Dansby, Chris Eleam, Taj Hemingway, Carlos Hicks, Marlin Jackson, Seth Jones, Tamara Lowe, Tyree Morgan, Julius Robinson, Lisa

Smith, Levan Montgomery, and Serena Bonner.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh congratulate and commend YouthBuild Pittsburgh, Inc., for a job well done.

BE IT FURTHER RESOLVED, that the Council in the City of Pittsburgh encourages the support from the City and Community so that YouthBuild Pittsburgh, Inc. can continue their endeavors.

MR. RICCIARDI moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Ms. McDonald:

I am going to -- we have the guests up here Jennifer Germany who is the Executive Director. Many of you in the community know Jennifer she is everywhere, everywhere. She is a soldier for YouthBuild. She fights for those kids. Tamara Lowe, Jamar Cottrell, Jason Brown, Najeena Walker, Sheldon Jones, Ebony Thomas, James Gibson, Laron Cottrell, Johnny McCoy, not quite a student there.

Without further ado, I would like to ask Jennifer would you like to make some comments and then defer to one of the students.

Ms. Germany:

I wish you were there Saturday when all the young people stepped forward and made a decision that this move for the

first year of graduation is just beginning the struggle. And they celebrated that with a 150 of their parents who came out and all the students. So the representation you see today are just those students still seeking their first job after YouthBuild. But all the rest of them are working, out of 32 young people who graduated from the program you have to be proud of the community to look at their content of their character on what they do that we won't do. That is to work in very low temperatures, gutting completely out a 1500 square foot of a three story home and bringing it back for low income family.

I would like you to know that all the houses are sold. I would also like to thank Valerie McDonald and Councilman Ricciardi who also sent us a proclamation that day for the Americorp Program and to tell you that we are fully funded for 1999.

I would like to say that without the support of the neighborhoods that we focus on and the support that we get from neighborhoods we would not exist. So as an announcement to you the Pittsburgh Foundation funded for three years the first YouthBuild Construction Company with young people leading the charge. So we are birthing that this month.

We will be joining all neighborhoods, we will be seeking work in all neighborhoods for doing private homes which we have never done before. So look forward to seeing our signs up and look forward to calling us and saying I need a pair of steps, I need a porch in, I need a roof on. We're seeking that work so those of you in the audience who aren't familiar with YouthBuild Pittsburgh you will be before the end of this year.

I would like Najeena Walker to come up.

Najeena Walker:

We the graduating class of 1998 would like to give a special thanks to Councilwoman Valerie McDonald and Jim Ferlo for the continuous support with YouthBuild. Thank you.

Ms. Germany:

I know I can't hold this mic. all day, but I do want you to know something. Not only is this group focusing on our local neighborhood, but we have been recognized by YouthBuild Programs nationally and have taken the model for the nation on a long-term alumni association with these young people birthed. So they have their own association that keeps them tied to each other. The nation has also recognized the director and two other people we are making policy for the entire nation. We just birthed 60 new programs across the nation of which you will see coming to Pittsburgh. In March there will be a workshop here for all of the nation programs at Station Square. We invite you to come and meet the rest of us. Thank you.

The Chair:

Ronald Bowes from Catholic Schools please come up, Councilman Onorato would you like to join me. We have Dr. Ronald Bowes the Assistant Superintendent of the Catholic Schools, the Diocese of Pittsburgh and looking along the road here with Mr. Udin coming in from one end to other from Mr. Cohen to Mr. Udin I think most of us went to

catholic schools. So there is a fine product here.

To let you know my son is a freshman at Central and the rules are still strict and still detention, I had to go a half hour early to drive him to school yesterday for we won't get into the details. But then again on the better note we also had our sons on the same golf team, we had a little banquet last night and very proud of our sons and all the players with them. It was quite a nice event.

So it's really a good school. We are very proud of not only that school but all the schools. I know Mr. Cohen he went to Catholic schooling. He owes it all to the nuns. I would like to read the proclamation.

MR. O'CONNOR AND ALL MEMBERS OF COUNCIL PRESENT:

No. 1166 WHEREAS, the Catholic School of the Diocese of Pittsburgh have served Western Pennsylvania since 1828; and,

WHEREAS, the Catholic Schools of the Diocese of Pittsburgh is the fourth largest school district of any type in the State of Pennsylvania; and

WHEREAS, the Catholic Schools of the Diocese of Pittsburgh have one-hundred twenty three schools serving the six-county Diocese of Pittsburgh; and,

WHEREAS, the Catholic Schools of the Diocese of Pittsburgh exist to teach the truths of the Catholic faith, provide a quality education, promote respect for fellow human beings, develop moral character and prepare young people to become good citizens; and,

WHEREAS, the Catholic Schools of the Diocese of Pittsburgh's 1999 theme for Catholic Schools Week is "The Quality Choice", providing exceptional opportunities to over 34,000 students this school year alone.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Catholic Schools of the Diocese of Pittsburgh and Bishop Donald Wuerl on their continued dedication to education; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare the week of January 24th - 30th 1999, as "Catholic Schools Week" in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Dan, do you want to say anything?

Mr. Onorato:

Briefly, we have this proclamation every year when it comes into Council and we celebrate Catholic Schools Week. This isn't a day to put one institution against another. It is a day to celebrate catholic schools and the contributions they have made to this city and to this region over the last who knows how many years and how many thousands of individuals they put into society and productive members

of society. I think people would be shocked if they found out the number of individuals running corporations and businesses and teaching around this area that got their start in Catholic schools.

Catholic schools today in the 90's and as it moves into the next century, I believe are even more important than they have ever been. It provides an additional option in our neighborhoods. A lot of our neighborhoods are centered around the catholic schools. They provide a nice religious background and a different option for people if they choose to participate in the catholic schools.

I am pleased to see that the diocese has recognized that even through the reorganization fights that are going on that they have to remain committed to the regional areas of the city in addition to the suburban areas around us. I am just here to congratulate the diocese for continuing to look to the future and to stabilize a lot of these homes.

The one last point I want to touch on, if anyone has any doubt how successful these schools are get a copy of the annual from the Extra Mile Foundation to see what parents are asking to participate in. I think that will summarize everything. Dr. Bowes, congratulations.

Dr. Bowes:

Well, thank you. I would like to thank, of course, Councilman O'Connor and Onorato for inviting us here to be honored during Catholic Schools week and all the Council people. You know we have a deep appreciation for the fact that you do take the time to recognize us.

Our first catholic school opened up in 1841 in Saint Philaminas, which is out in Squirrel Hill, which is now the Jewish Education Institute. Of course we're still happy that children are being taught the faith in those walls and that we actually have a big initiative going on with our teachers and Jewish community school teachers and things are going along beautifully as we learn from each other and about our schools and about our faith and what we think is important. We are sharing a lot of things, so it is a beautiful initiative and we are very proud of that.

As I said, I am very happy to be here to represent Dr. Bursurber (phonetic), our superintendent, and our over 2,000 teachers, 34,000 students. We have been serving Pittsburghers all these years, over 150 years we are very happy to continue to do that. We're proud and productive partners in education, we serve-- you cannot imagine the diversity in our schools, we are very proud of that also. So thank you again.

I probably could spend an hour up here talking about our schools and how proud we are. We will continue to work hard to turn out very productive and moral citizens that go on and help us in our communities to do the work.

I would like to mention one thing however and that is about a month ago our schools received and it reminded me the Jefferson Awards reminded that our schools received a George Washington Gold Medal from the Freedom's Foundation at Valley Forge. We were very proud of this accomplishment because out of 500 nominations around the country, our diocese and our schools received this for the amount of community

service that our schools perform and of course that benefits all of us.

When we get our children involved hopefully when they leave elementary school go on to high school, go on to college and go out into the community that they will continue to give back and to help to build a better community and serve the poor, the disadvantaged and other individuals that are in need. Of course that's part of our philosophy in school. So thank you again and I hope I see you next year.

The Chair:

Ron told me the Bishop couldn't make it because he is in Saint Louis to see the Pope. So he has a good excuse to pass us up.

We have three to be read into the record.

MR. FERLO PRESENTS:

No. 1167 Whereas, on January 20, 1998, Pittsburgh City Council established a formal sister city relationship with Matanzas, Cuba extending its greetings to the its citizenry and encouraging people to people communication, friendship and good will; and

Whereas, hundreds of Pittsburgh area residents have traveled to Cuba despite the United States embargo and have been warmly greeted by the people, institutions, and government of Cuba; and

Whereas, this past year witnessed the historic visit of His Eminence Pope John Paul II and a strengthening of diplomatic relationships between Cuba

and the Vatican and this year we will witness the landing of the University of Pittsburgh's Semester At Sea ship in the Havana harbor; and

Whereas, Mr. Rafael Noriega has represented the Cuban government at the Cuban Interests Section embassy in Washington, D.C. and has proudly and diligently performed his official duties for the last four years and soon will return to his homeland, along with his wife Amanda and his little girl Amanda; and

Whereas, Mr. Noriega has worked tirelessly to increase friendship and communication between Cuba and numerous organizations and local governmental bodies throughout the United States including the Pittsburgh/Matanzas Sister City organization, Global Links, the Pittsburgh Cuba Coalition, among others; and

Whereas, Mr. Noriega has recently worked on an effort to facilitate a possible baseball match between the Baltimore Orioles and one of the many popular Cuban baseball teams and will be in Pittsburgh on Thursday, January 28th, attending a Pittsburgh/Matanzas Sister City Meeting to be held in Pittsburgh City Council Chambers; and

Whereas, Mr. Noriega has agreed to meet with members of Council and representatives of the Pittsburgh Pirates organization to explore the possibility of a baseball match between the Pirates and a Cuban team at some future date with proceeds hopefully going to hurricane relief in Central America;

Now, therefore be it resolved, that City Council extends its congratulations

and best wishes to Mr. Rafael Noriega and his family as they prepare for their trip home and we further declare Thursday, January 28, 1999 as "Rafael Noriega Day" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. ONORATO PRESENTS:

No. 1168 WHEREAS, The Pittsburgh Children's Museum opened its doors to the public on June 12, 1983 and due to an outstanding Outreach Program has grown over the last decade to serve more than 100,000 children in classrooms, community centers and parks throughout Western Pennsylvania, and overall has served over 2.5 million children and adults over the years; and

WHEREAS, some early program highlights include "Mystery, Magic & Mirth: A World of Puppets" in 1985, "Andy Warhol's Myths and Silkscreen Studio" in 1988 which made art accessible to adults and children of all ages, and the most popular exhibit "Luckey's Climber" in 1989; and

WHEREAS, in 1993 the Museum invited at-risk youth to become part of the institution through "YouthALIVE!", a mentoring and life-skills training program. The Pittsburgh Children's Museum created its Outstanding Friend of Children Award in 1994 to honor individuals whose work or example has had a positive impact on the lives of children. The award was

presented to its first recipient, Fred Rogers, at the Museum's Annual Benefit; and

WHEREAS, on March 9, 1995, "The Vision of Jim Henson" made its U.S. premiere at The Pittsburgh Children's Museum and the Museum provided young children a unique way to learn about issues of diversity and tolerance through the exhibit "Kidsbridge"; and

WHEREAS, The Museum's partnership with health care providers and community groups culminated with the dedication of "Safety Street", an outdoor, injury-prevention exhibit featuring a full-scale intersection and real car and school bus in 1996; and "Mister Rogers' Neighborhood - A Hands-On Exhibit" surpassed all expectations, garnering praised from both educators and the media, and bringing more than 85,000 visitors to The Pittsburgh Children's Museum in six months; and

WHEREAS, on December 26, 1998 the Pittsburgh Children's Museum reached "Great Heights" when it re-opened after 10 weeks of renovations with new exhibits and amenities, creating a warm, welcoming, full-service institution for children, their families, schools and community groups; and

WHEREAS, Maggie Forbes was the first Education Director of The Pittsburgh Children's Museum Director of Programs 1985-1990 and Executive Director from 1990-1998. Maggie is recognized throughout the area as an advocate for children and her leadership was essential to The Pittsburgh Children's Museum's successes in its first 15 years.

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend Maggie Forbes and The Pittsburgh Children's Museum for their continuing efforts to serve the youth of the region; and

BE IT FURTHER RESOLVED, that the Pittsburgh City Council extends it's gratitude and best wishes to Maggie Forbes on her departure from The Pittsburgh Children's Museum.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 1169 WHEREAS, Yeshiva Schools instill a sense of belonging in the community which gives students a firm grounding and allows them to grow with the knowledge that they are contained within a safe and loving environment; and,

WHEREAS, Yeshiva Schools is holding its 55th Annual Yeshiva Schools dinner on Sunday, January 17, 1999; and,

WHEREAS, Bob and Helene Wishnev are being honored this year; and,

WHEREAS, Bob and Helene have been active for twenty-four years in all aspects of Yeshiva's growth; and,

WHEREAS, Bob and Helene Wishnev's warmth, humor, and dedication have enriched the lives of everyone associated with Yeshiva, both communally and personally.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Bob and Helene Wishnev on their commitment and dedication to serving

Jewish Community and Yeshiva Schools; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh in recognition of Yeshiva School's 55th Annual Dinner does hereby declare January 17th as, "Yeshiva Schools Day" in the City of Pittsburgh.

MR. O'CONNOR PRESENTS:

No. 1170 WHEREAS, it is in the best interests of all people to be informed, to have public discourse and to decide public policy in order to promote the public good and to insure that the quality of our lives is not denigrated for private gain; and,

WHEREAS, the theater has historically served as a popular means to present significant issues to the public in a unique and special way ~ providing perspective and information to audiences ~ allowing for the understanding needed to grasp the complexities of our society and, to promote action and activism beyond the doors of the theater; and,

WHEREAS, the City of Pittsburgh, as a community and the birthplace of American industry, has long had to deal with the adverse effects of industrial pollution and the restoration of former industrial sites and, as a result, has lead the nation in the formulation laws designed to protect the public's health and enhance the quality of life for its citizens; and,

WHEREAS, on January 6, 1999, at City Theater's Lester Hamburg Studio Theater, the world premier of Stanton Wood's newest play "Eating Dirt", will take place. The play, produced by Bari

Wolynn, as part of City Theater's Hamburg Partner Program and through the support of the Pittsburgh Foundation, explores the themes presented by the impacts of the contamination of our environment.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh extends to Playwright, Stanton Wood, Producer Bari Wolynn, and the cast and crew of Eating Dirt its best wishes and congratulation on the significant accomplishment of bringing this play to the stage; and,

BE IT FURTHER RESOLVED, the Council of the City of Pittsburgh, in recognition of this artistic effort and in hopes of encouraging the public's understanding of the issues presented by the contamination of our environment, does hereby declare January 6, 1999, to be: The World Premier of the Play, Eating Dirt, Day" in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolutions.

MR. DIVEN seconded the motion.

Which motion prevailed.

The Chair:

Now move to presentation of papers.

MR. DIVEN PRESENTED:

No. 1171 Resolution Amending Resolution #755 of 1998, effective December 31, 1998, entitled "Providing for the transfer of funds totaling Five Hundred Thousand (\$500,000) Dollars

from various accounts within the Department of Public Safety, Bureau of Police, to the Public Safety Training Account Trust Fund, Department of Public Safety, Bureau of Police," by decreasing the total amount of the transfer from Five Hundred Thousand (\$500,000) Dollars to Four Hundred Ninety Three Thousand (\$493,000) Dollars.

No. 1172 Resolution Providing for an Agreement or Agreements with a consultant or consultant for professional training services at a cost not to exceed \$60,000, and providing for the payment of the cost thereof.

Which were read and referred to the Committee on Public Safety Services.

MR. DIVEN moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. COHEN seconded the motion.

Which motion prevailed.

MR. FERLO PRESENTED:

No. 1173 Resolution Providing for the issuance of a warrant in favor of C & M Contracting, Inc. in the amount of \$10,305.16 for the repair of a City-owned wall located within the Lower Allegheny Riverfront Park (adjacent to the 10th Street By-Pass); and providing for the payment thereof.

Which was read and referred to the Committee on Finance and Budget.

The Chair:

Now move to unfinished business. Any unfinished business to come in front of Council?

Before we move to Committee Reports, I would like to announce a change in Chairmanships of two chairs involving Mr. Ricciardi and Ms. McDonald. I would like Mr. Ricciardi to make the official announcement.

Mr. Ricciardi:

Thank you very much, Mr. President and colleagues. First colleagues, I really would like to take this opportunity to thank Director Faith Gallo for all her successes that she's had with the department of Parks and Recreation. Especially over the years if you would see the administration really took away so many resources from Parks and Recreation in terms of personnel and in terms of revenue and expenditures. I think Faith Gallo has done a marvelous job during those years.

With her announcement several days ago we, Ms. McDonald and I and Mr. O'Connor, had found out that she was going to be resigning. I thought it was a perfect opportunity at that time because Ms. McDonald over the last several weeks has stated her interests in Economic Development in the City of Pittsburgh and especially in her district. At that time I always had a special affection for the Department of Parks and Recreation since I chaired that. I thought in the change of Directorship I thought, Mr. President, it would be a perfect opportunity for me to recapture that, take back that committee if there was no objection.

So I would just, one, like to commend Faith Gallo and, two, I look forward to chairing a new committee. I think Ms. McDonald is going to do a great job in Economic Development, the Committee Economic, Development and Housing and Promotion especially in her district and throughout the city.

Ms. McDonald:

I just want to say that it is mutually agreeable. There is really no fanfare just that we discussed this and he's interested in Parks and I am interested in both. We're both interested in both, but with this opportunity it allows me to go back to my old committee and he is going back to his old committee, we are actually going back to our old committees both of us.

I just want to thank the Department of Parks and Recreation for the outstanding job they have done in preparing me for reports. I mean the information has been very timely, very detailed. I think you have a wonderful Assistant Director there, you have a wonderful Acting Director there, Duane Ashley. For Faith Gallo, she is still going to be around and I look forward to continue dialogue with her on occasion. But I do commend her for her graciousness and for her positive character in making sure that Parks and Rec. was one of the finest departments. She really did come to the aide and defend the people that work in Parks and Rec. whether they know this or not, she really stood by them.

Again, I just want to thank Councilman Ricciardi for giving me another opportunity and I think this will work out. Thank you, Mr. President.

The Chair:

Officially today Ms. McDonald will be chairing Housing, Economic and Development and Mr. Ricciardi will be chairing Parks.

Also, I think we should send a letter of thank you to Director Faith Gallo for her I believe six years of service to the city under extreme difficulties in that department. I know she is staying on and in other capacity. I will send that letter of thanks on behalf of all of us.

We will move to Committee Chair Reports.

COMMITTEE CHAIR REPORTS

Mr. Udin:

Thank you, Mr. President.

As Chairman of Finance and Budget I recently accepted an invitation from President Bob O'Connor to present at the Building Bridges Breakfast sponsored by the President at the Sheraton Hotel. Present at the meeting were representatives of the legislators and the Pittsburgh School Board. Attached please find copies of the budget analysis presented and distributed at the meeting.

We had a rather candid discussion of the City's structural deficit as well as our tax structure dilemma. The ensuing discussion was informationally fruitful and laid the foundation for future cooperation in the region.

The City of Pittsburgh's Tax Restructuring Committee has met once

and identified some short range and intermediate objectives.

One, we are searching for regional partners to recruit onto the committee to begin to establish personal relationships and dialogue regarding common regional interests that will eventually be translated into legislative tax restructuring initiatives for the region.

Two, we continue to discuss and understand the complex tax dilemma the city faces with such heavy reliance on property tax, business privilege tax and the inadequacy of the occupation tax.

Three, we are planning a seminar sponsored by the University of Pittsburgh institute of politics to be held in the spring which will be used as a springboard for the formation of a larger, more permanent committee.

And four, we will also build a model of analysis and comparison of Pittsburgh's tax structure to other comparable cities and additionally examine what kind of tax structure is called for giving the current realities of a city whose economy is now based more on the service sector as opposed to our current tax structure which is historically suited to a manufacturing economy.

We are in communication with the Murphy administration and continue to welcome input and participation of Council colleagues or others you may recommend.

We have also been quite active in lobbying the legislature for passage of Plan B, debt-ceiling legislation, to finance the building of the stadiums and the

Convention Center. In this regard we are targeting the legislative black caucus in Harrisburg because they represent an important block of votes.

Consequently we have created the Plan B, NBE oversight committee which meets bi-weekly. This committee has managed to get the written commitment of team owners, elected officials, authority officials, supporting the principle of 25 and 10 percent NBE, WBE participation in contracting and employment.

A more specific program is being worked out to get an agreement with contractors and labor unions to guarantee minority and women's participation in the building trades, unions and apprenticeship programs. Councilwoman Valerie McDonald has been an active participant and a helpful voice in this effort.

We have scheduled our first informational meeting for the pre-construction professionals related to Plan B and the minority and women owned contracting companies with the Pittsburgh Pirates. Set for Friday, January 29th, from 4:00 p.m. to 7:00 p.m. at the David Lawrence Convention Center. Similar meetings regarding the Steeler stadium and Convention Center will follow.

An employment fair is being planned with Ms. Barbara Parees, Director of Personnel, for sometime in March. That concludes our report, Mr. President.

The Chair:

Thank you. Any questions to Mr. Udin? I want to thank you. I think so much in government that I have seen one

of the biggest faults in government since I have been in office is follow up. It doesn't happen very often, but I want to commend you for the follow up.

I know we got this meeting report which you just announced this Friday, January 29th from four to seven at the David Lawrence Convention Center, the Plan B oversight committee. I think it is very important we keep following up on our initiatives whether it be the legislative black caucus, your goals with Plan B, we just can't shrug them off and we just keep charging along the way we have.

I want to thank you for your follow up and also today if you notice way on the back page the Governor isn't as sexy as Plan B, but the Governor is committed now to putting more money back into education. So our meeting with the School Board I think is perfect timing so that Pittsburgh is in line for those funds when they come. Thank you for that report.

We will now move to Reports of Committee.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1174:

Report of the Committee on Finance and Budget for January 20, 1999, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1132:

Resolution directing the City Law Department, Department of Personnel, and the Civil Service Commission to report to City Council on the feasibility and cost of performing an investigation of civil litigation on applicants for City of Pittsburgh police officers, in addition to the standard criminal background investigation. **(SPONSORED BY MS. MCDONALD)**

Which was read.

Also,

Bill No. 1137:

Resolution authorizing the sale of City of Pittsburgh owned property in the 25th Ward, 401 Catoma Street, designated as Block 23 G, Lot 366 (part), to Peter L. Hervoyavich and Kathleen Hervoyavich, his wife, for the sum of \$100.00.

Which was read.

Also,

Bill No. 1149:

Resolution designating the East Liberty Nabisco Bakery Project as an Industrial Development of the Steel Valley Authority and approving of the Authority's Exercise of its Power of Eminent Domain in that Project. **---(SPONSORED BY MR. FERLO & MS. MCDONALD)**

Which was read.

Also,

Bill No. 1150:

Resolution transferring the amount of \$7,000 from Sub Class: 010, Salaries, City Council, Account: 511000, Org: 101100, Fund: 1000, Budget Year: 1999 to Sub Class 150, Miscellaneous Services, City Council, Account: 526125, Org: 101100, Fund: 1000, Budget Year: 1999. (The purpose of this transfer is to pay for expenses relative to the District Office in Council District #2). **---(SPONSORED BY MR. HERTZBERG)**

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Ms. McDonald:

Yes, I would like to make a motion to amend Bill Number 1132 to add a second section for discussion.

MR. ONORATO seconded the motion.

Ms. McDonald:

I would like to add a section. I will read it and explain that the City Law Department will immediately draft for inclusion in the list of questions used in the polygraph test that is administered to police applicants as part of the pre-employment screening process interrogatories regarding any and all civil litigation involving the applicant as either plaintiff or defendant. Inclusion of civil litigation interrogation will be effective for all police applicants after January 31, 1999.

Where this came from was out of

the discussion we had last Wednesday where we were looking at due to the lack of databases and structure in place to efficiently peruse civil litigation. In lieu of that, instead of going from county to county, it would be probably more efficient and definitely would mitigate the cost. In fact it would probably eliminate the cost all together if questions were asked as part of the polygraph examination in which there are questions asked of driving, what you did in your background. It alludes to a lot of criminal checks but questions could be drafted that would blatantly ask about civil litigation and the particulars there of. If that applicant fails the polygraph or one part of it according to Pennsylvania Municipal Police Officers Education Commission Guidelines, they should be eliminated any way.

If they are telling the truth and there is civil litigation that has occurred then the investigators of OMI or the Law Department can then do a more specific search based about the information given to them. That would narrow the focus down to a county, to some municipalities, to some type of litigation. In other words, instead of going through this massive search, it would narrow it to one specific or not one, to a specific search in terms of municipalities. Again eliminating the cost possibly all together. That is the reason the rationale for this legislation is to make it doable. Everyone feels very comfortable that we should check, we should screen to the max but there is always a question of obstacles can it be done? By doing it this way, yes, it can be done.

Now again, according to the Pennsylvania MPOETC Certification Guidelines I will read for background investigation, background investigations

shall include but not be limited to a criminal history check, a credit check, personal interview and any other applicable means of determining the individual's suitability for employment as a police officer. Again, any other applicable means. This is one of those means.

Lastly, they do say in terms of criminal disqualification standards, the commission's policy is that if ARD is granted or if an officer is allowed to resign rather than be prosecuted no revocation of certification can be instituted and no record of the offense will exist. Hence there is nothing to prevent an officer from using his or her certification to obtain police employment in a different department in Pennsylvania or any other state.

This is why the legislation we have to make sure that we again provide as much investigation, background investigation as possible. This is the justification for the legislation and added falsification of any information is cause for rejection. Falsification of any information is cause for rejection.

So again, I am very confident in and our police chief and the Law Department, the Office of Municipal Investigations to thoroughly screen. I just add I think this just adds an enhancement. I am just asking all my colleagues to please consider this amendment because it puts in place the motion of looking into civil litigation without creating a bureaucratic nightmare. It is very simple and it needs to be done.

Mr. Ferlo:

I support the intent of what

Councilwoman McDonald is doing in which she articulated last week at the Wednesday Standing Committee Meeting. I thought we had a good discussion with the Solicitor. I am concerned that we are now moving towards something -- I am not sure what we are moving towards.

Originally the bill was a request for a report or study to be done by the department and to come back to Council with some written information and explanation. Now it's being amended to actually implement a specific change which maybe the appropriate thing to do, I am not sure. I am still unclear on what the effect is of the Section Two amendment that the Councilwoman is proposing.

My particular concern is what the solicitor said at the table. It's not clear to me even if we asked information and we ascertained some information either by the applicant filling out the information or by whatever OMI or by whatever research process we go through. What I am concerned about what is it that we would or could do with the information in any event? I use the example of a bitter divorce. I mean there are many people that are involved as I said at last week's meeting when they are getting married they are love birds and they say the greatest things in the world. A year later they are up on the sixth floor accusing each other of everything under the sun.

What I am concerned about, what does that mean in terms of the information we collect and what is its conclusion or the bias that an applicant would face from the chief or from the review committee or from the solicitor? I am concerned about that. If someone goes through a bitter divorce and technically I assume that some

civil litigation or lawsuit and I am not speaking gender wise it could be male, female or whatever. What does that mean and what does it conclude necessarily from that type of a civil lawsuit using that as an example? Does that mean a person -- is it only that we are asking what the lawsuit was, are we asking what the outcome was? Do we want to get the details of the case?

People are accused of things that are not necessarily adjudicated to be guilty of. I am concerned about what it is that we are doing from an employment standard. I am concerned that we be equitable, that we be fair and that if we are ascertaining information we can do something with it in a non-discriminatory and employment practice wise something that is appropriate.

I was voting in favor of the resolution the way it was written right now because I understood it basically to be requesting a report from the Law Department and administration on all of these issues and then come back to us. We could have some more discussion. Now we are departing a little bit and asking that a specific thing be implemented by or January 31st of '99. I am not sure exactly what the wording is about this interrogatories. Maybe my legal colleagues can help me out here, but I am just concerned about what the Solicitor said at the table about whether it is our right to know even if we ascertain some information. What is it that we're going to preclude?

I mean I have been in employment interview process for non-profit boards I am going back a few years, where typically a review committee of a personnel will ask often times of female applicants if they

have children what are your childcare duties or plans? Really that's an inappropriate question. You can maybe establish that kind of a question but it would have to be equally asked regardless of the gender of the parent. You shouldn't pick on a female applicant and say because you have kids, do you have childcare plans and then form a bias or a conclusion about whether or not you want to hire somebody.

I am worried are we opening up an area where we are going to get into equitable disputes about what is fair, what is reasonable in terms of people's background and all of that. I don't know, I am really asking somewhat out of ignorance in terms of what this Section Two is and what is it that we're agreeing that we have to do from now on?

I also have a concern generally about how are we dictating the employment in Pennsylvania as opposed to maybe a letter of request of personnel and Civil Service Commission in terms of how job classification hiring procedures are conducted.

Ms. McDonald:

I will respond to all the points and they are very valid points. First of all and to allow all Council members concerns. There is an appeal process. If you take this test and what comes forward is some type of something criminal, something you did, I stole a bicycle that has actually come up in the polygraph questioning that I took something from some where, some small petty theft. That applicant if they have already passed everything else in their stellar and they have their certification, all they need to be is qualified for subsequent interview and physiological, they can

appeal to the Civil Service Commission. And, I can tell you something right now, Councilman Ferlo, there have been many people who have appealed what has come out of the questioning to the Civil Service Commission and that their appeal or however it is worded was granted and they went to the next step.

This is nothing compared to some of the things that have surfaced. From theft and lying and falsification you name it, there have been a lot of things but they have an appeal process where they can explain it before the board of the Civil Service Commission.

Number two, as far as what do we do with the information. If you had any ideas some of the questions that were asked during a polygraph test they can get into your financial background, they ask you about all kind of stuff not only your driving record and your employment record they ask you about credit cards. What do we do with that information? That already exists on the polygraph test. So there are questions that kind of get into your background your character already. It is already there. But we have to defer to the good judgement of not only the process, the Law Department, our chief but also the Civil Service Commission to make sure that there is a level head in terms of ascertaining what to do with the information.

Believe me, some of the things that have surfaced and people are still, have still been granted employment. I think it is a mute point, it's a mute point if you really knew. So again, the questions are already asked on the polygraph test that you may want to construe as intrusive or personal. They are already there. This is basically

public information. If you have been involved in civil litigation, that's a public information item that a future employer should know. Again, if the red flag is -- we can go back to a case. There are some cases that if were suitable litigation questions asked maybe that person wouldn't be on the force. So again--

The Chair:

So, in summary they're taking a lie detector --

Ms. McDonald:

So, what I am doing -- oh, thank you very much. This addendum came out of the discussion. It was our own Solicitor that recommended something like this. I am only taking what she recommended and saying okay fine let's do it. If we can add this to the list of questions in the polygraph test, which she recommended, that's the administration, then let's do it. It doesn't hurt the process and we haven't even begun to do our new whatever glut of applicants as far as screening.

The Chair:

Just to be clear, they are taking a polygraph test now?

Ms. McDonald:

Oh, yeah it is part of the pre-approval.

The Chair:

So you have just added these couple of questions?

Ms. McDonald:

There is a list, Council President O'Connor, a whole list of questions that they ask. I am recommending with this addendum that there be additional questions asked in terms of have you participated in civil litigation and deferring the particulars to the administration. I don't want them to come back with what specific questions, that's an administrative matter. But let them hash it out and fix up that whole polygraph questionnaire.

Mr. Udin:

I would like to speak in support of the amendment. I think that there are sufficient protections in place to prevent personnel action from being based on some biased or illegal judgment. But I think it is important that the interviewers be able to gather as much information as may be possible in order to make the selection and know as much about the people who we are putting a badge and a gun on.

I appreciate Councilman Ferlo's questions, but I do believe that this has not to do with how people are selected, it has to do with what information we are going to gather in the interrogation of people under polygraph. And it adds to a list of questions that is currently already on the polygraph list. I think it does not violate any rights, it just adds to the information and gives us the ability to make a more sound judgement.

I certainly am not advocating a knee jerk reaction to the situation around Officer Cooperstein, but the point is clear that had we known more about this gentleman relative to civil litigation when we hired him, we may have made a

different choice. Thank you.

The Chair:

I will be supporting it too. I believe one of the major problems in hiring anyone, the good old boy network well if I let you go I will give you a good reference. That's a problem in all walks of life especially, we have to be careful with especially an ex-officer's past history. I think that it is key. So I will be supporting this.

The bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Ms. McDonald:

Amendment first.

The Chair:

Do we have a second?

MR. COHEN seconded the amendment.

Which motion prevailed.

The Chair:

Do you have discussion on the amendment? I thought there was going to be other discussion on the police bill.

The Chair:

This bill is finished.

Mr. Ferlo:

I thought there was going to be more discussion on the police thing. In relation to Bill 1149, I want to thank

obviously all of my colleagues for voting unanimously last week in relation to the issue of moving ahead with reuse of the Nabisco Plant in East Liberty. The resolution today is a legal resolution of City Council basically joining with other municipalities of the Steel Valley Authority and asking the Steel Valley Authority to act as basically the economic developer of last resort and allowing them to utilize their powers under state laws to proceed with eminent domain. There are a number of procedural steps that have already been initiated some of which were mentioned last week at the Standing Committees Meeting.

Now all of a sudden out of the blue mysteriously to some extent on Sunday, Nabisco comes forward and says maybe they have another buyer from Ohio, possibly some cereal company. I don't exactly know, I know the media called my house. I referred them to the plant and I referred them to the folks from the East End Forum over the weekend and to Local 12 and to the operating engineers. It could be a good sign and it could be a bad sign. The basic thing we could probably say right now is it is no sign because we don't know what Nabisco's intentions are. We know what Nabisco's track record is for the last several months in terms of how they have handled the Pittsburgh community, the unions involved and the work force and it has not been a pretty picture.

I would hope that I want us to see the glass half filled and not half empty so I want to be optimistic. But really Nabisco at this point given the discreditation that they have gone through in the Pittsburgh market place, as well as with their own work force, as well with the public sector,

the leadership of Steel Valley Authority the colleagues on this chambers, the Mayor and administration they are really the one. The ball is in their court to some extent. They're really the ones right now that should put their best foot forward and make a commitment and communicate to the unions, to the workers, to the community, to the East End Forum, to the Mayor, to the Steel Valley Authority and to you and the colleagues as to what their real intentions are. Now if they're going to think that they are going to move in there and in the silence of the night and start dismantling viable ovens, they're sadly mistaken.

So really despite protestations of the Post Gazette and Tribune Review Editorials, we should move full steam ahead with this resolution. We will now have four communities that agree with eminent domain activity of the Steel Valley Authority. I believe there is another municipality that is meeting tonight, I am hoping that we will get the majority needed for us to proceed. As well I think the SVA has already notified Nabisco that they would like entry into the plant this coming Friday morning at ten, if I am not mistaken, to begin to assess the value of the equipment and the plant facility and the building itself.

I want to thank Council President O'Connor for communicating last week by letter to the various bureaus and townships that were being asked to join with us in voting in favor of the Steel Valley Authority activity. Obviously I thank last week Mayor Murphy and his administration for keeping the faith with these workers and for continuing to support this deal both for its economic development staff and financial resources

if need be in the coming weeks. But we're at a particular crossroads right now and the crossroads require the Nabisco Corporation from New Jersey picking up the phone or issuing one of those sand bag press releases that they always put out and tell the Pittsburgh community that we will put our best foot forward. We need time to work if they actually do indeed have a viable buyer from Ohio or anywhere else, that they will not dismantle and basically gut the East Liberty facility.

They are still working at least our presumption is that they are still committed to this February 1st deadline for removal of viable equipment. They have to back off of that February 1 date. They should back off even in terms of their own self-interest if they are sincere and if we can believe them that they have a viable buyer that they are negotiating with. It doesn't make any sense to me for them to gut the plant even in terms of their own deal making. We don't want the plant gutted obviously because the other viable baker interest groups that we have need the viability of the working ovens, otherwise we could pretty much put the plant anywhere.

So, really I would say in passing this resolution today we immediately send a telegram to East Hanover or Parsippany, New Jersey, RJF Nabisco and ask them to take a good step forward and put their best face forward to the Pittsburgh community and ask them to change that February 1st deadline. In fact we really shouldn't have a deadline per say, we are all moving full steam ahead. The administration is, this Council is, the Steel Valley Authority, the work force, the unions involved. On a separate track RJR Nabisco is working on their own agenda. They have a right to do

that, I don't question that. But let's get rid of this hard nose approach with the February 1st deadline and let's not in any way think that tractor trailers are going to end up there in the middle of the night. There are still people in the plant. We will get people out on the streets in the middle of the night. I will wake up and go down, I know Mr. Diven said he would back me up and he is bigger than I am. Mr. Cohen, everyone else will be there.

But the point is we should send a letter now with this resolution to RJR Nabisco to get off that February 1 date and commit themselves back to a working process with the Mayor and with the Steel Valley Authority. But in the meantime, I would ask the other municipalities a few more of them will be meeting in the next week or so, please be supportive. We are not asking you to expose yourself for any legal or financial hardship; there are viable private interest groups that have financial resources. I spoke briefly with Commissioner Dawida in the last few days, he stands very willing and able to have whatever county resources also come into the fold to support this initiative. In fact, he invited the unions to come to the Gold Room either this week or next week on a Thursday and maybe have some kind of formal proclamation of support. I want to thank him and the leadership at the commission level for their good effort in this respect.

But in approving this today, let's enforce and reinforce and support the Steel Valley Authority by whatever means necessary to make sure that we retain the building, retain the viable equipment that is inside. If they can't find a buyer and it is not a deal that is going to recognize the leadership and the skill of the workers

some of them are in these chambers today, then it is not a good deal as far as I am concerned. They are not going to open up a scab outfit here in this city in that bakery; it is not going to happen.

I would ask that we move quickly obviously today this enjoys all of Council's support, I want to thank all of you, but if we could follow up under your signature, Mr. President, with a telegram after this meeting to RJR Nabisco about this February 1st deadline. Thank you very much.

The Chair:

Any more discussion?

Mr. Cohen:

Very briefly, I do want to thank Councilman Ferlo, our colleague, for his leadership on this issue and Councilwoman McDonald for her leadership. For all of those who have come together in sending this message to Nabisco including the workers, including people who have come together on the save Nabisco Committee, yourself, Mr. President, the Mayor, we all have coalesced. We have all come together, we are all in agreement on this issue, our resolve is firm, it is not going to weaken. I think through this legislation we'll send a strong message to Nabisco.

So I want to thank all of those who have taken leadership roles in this effort.

The Chair:

I want to echo that. I also want to thank publicly the Steel Valley Authority. I made calls all weekend to the Mayors,

Council members and managers of McKeesport, Mount Oliver, Swissvale, Rankin, Duquesne, they were very, very positive, most of them signed on already. If they didn't it was only because of time, lack of information. So I certainly think the lobbying effort is moving very forward.

I also want to thank going back to the beginning the Giant Eagle executives and ownership was very involved. I talked to them with the leadership of Nabisco we may want to go back to that little group and talk to the executives there and really feel out where they are going. Because if they do take that equipment out, it is really sending a very negative message because that equipment is worth nothing to a new plant it is worth everything to an older plant. So I think that's very crucial of what we finalize today in that aspect.

Also I heard through the news media Sunday morning someone was going to come. I would ask Nabisco to have the Mayor's Office, yourself, Councilwoman McDonald or I live two miles away, if there are legitimate companies coming in I think a representative from this body or the Mayor's Office or the county should be there to know what is going on. We don't have to get into the fine details but as you said, we want to make sure what comes there is good union jobs and it keeps the employees that are there. So that really is important.

Mr. Ferlo:

I would also reiterate, Mr. President, your point that we should send a message to RJR Nabisco. We want to be their friend. We want to help promote this

product. This region respected this product for 80 years. We bought all kinds of Nabisco brand products. Now I haven't bought anything for the last half a year and I am not going to buy anything in the future because of the boycott, which quite frankly is effective. Right now you see the Giant Eagle, Pharmor Industry Group promoting four products on channels two, four and 11, one of them is the Nabisco brand. The reason why they're buying it is because it is junk product that you can't even sell. They're able to get it cheaply and they are now trying to market it through Pharmor warehouse operations.

That's an indication you never would see a Nabisco product being sold that way at the bottom of the shelf, cheap item. It is a high quality product but it is clear the boycott is working throughout Pittsburgh and Western Pennsylvania even to the extent that now Pharmor is going to bail them out and take their cheap product and put it on their shelves and try to market it as a loss leader over the last few days. I see the ads on TV. But we should tell Nabisco whatever company comes in here, if it is a bonafide company that recognizes the talent of the workforce behind us as well as their representative unions involved, then we want to create a happy marriage with this company and begin to promote any new product that may come in there. But they have to take the first step and show some good faith and so far they have refused to do that.

The Chair:

Why don't we instead of drawing a line in the sand, let's make this a new day? After this meeting, we will call the head of Nabisco and ask for a peaceful settlement to this.

Mr. Ferlo:

I will keep my guns cocked until they make the first move.

The Chair:

We will know after today. We can start over again today. It's in their best interest to sell to a good company, non-competitive and hire the employees, so that can be a win, win if they take the right attitude. So let's proceed with that process.

The bills are now ready for final action, all in favor of the passage of the bills vote aye when your names are called; all opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

(Mr. Ferlo abstained on Bill 1132.)

Bills have received the legally required number of votes and have passed finally.

The Chair:

Before we move on, I would like to make a special recognition of Mr. Ferlo and Ms. McDonald's leadership in this

role. I really think they have taken us along way.

Thank you all for your support.

MR. HERTZBERG PRESENTED:

Bill No. 1175:

Report of the Committee on Public Works, Water and Environmental Services for January 20, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1151:

Resolution Vacating a portion of Rodman Street, 40 feet wide, from North Highland easterly to its dead end in the 11th Ward, 9th Council District of the City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and title of the bill, any discussion on the bill?

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
-----------	-----------

Mr. Ferlo Mr. Hertzberg
Ms. McDonald Mr. Ricciardi
Mr. Udin Mr. O'Connor
 (Pres't)

AYES Eight NOES None

Bills have received the legally required number of votes and have passed finally.

MR. ONORATO PRESENTED:

Bill No. 1176:

Report of the Committee on Planning, Zoning and Land Use for January 20, 1999, transmitting one ordinance to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1136:

An Ordinance amending the Pittsburgh Code, Title Six, Conduct, Article I, Regulated Rights and Actions, Subsection 617.04(a)(14), Underground Transit Stations, to allow eating and drinking within the confines of designated areas within underground transit stations. (SPONSORED BY MR. UDIN).

Which was read.

The Chair:

You have heard the reading and title of the bill, any discussion on the bill?

Mr. Ferlo:

I am voting in favor of 1136. This

would basically change the code of conduct a minor change in the city laws. Basically it would facilitate the opportunity for the Port Authority Transit to set up basically a vending operation in at least, I think, three locations underground around the T stations that would include not only drinks and food but also some other items it is very open ended right now.

I thought this was a great idea. I want to thank Councilman Udin for his leadership in working with PAT and bringing this to Council's table. My only reservation is as they said hoping to generate around \$100,000, I would ask that they take that same \$100,000 and use it for cleanliness issues. I really think and I have talked to PAT following the meeting, I think they are underestimating what impact litter and food and sweet sugar with bees in the T station and people arguing on the T-station with the driver about bringing on foods and drinks. I know it sounds like a small issue, but to me one of the beauties of the T is the cleanliness. I think it is one of the issues why it is so popular and used well. The music the ambiance it is a very clean, great transit corridor and early on the PAT police have to be assigned to ride these trains and be in these stations.

If people are bringing drinks on, it's not always fair to put it on the PAT driver of getting into fights every time with the passengers. I mean he or she is trying to drive the bus or perform their duties. I would just ask that in approving this that I hope it works well. I am going to go down there and buy a pop if I can to show support since I don't get to ride the T that much. But I am very concerned about the cleanliness issue and I hope PAT is really

going to stay on top of this. But I think we should at least try it.

The Chair:

Again, I want to commend both of you for doing that. I think it's a good idea, but I share your concerns and whether we can send them the minutes to what you just said. Whether they spend a couple dollars more and hire someone else to keep up the sanitation or another very important thing who they put there. Are they going to put out of town companies or are they going to put a good local operator like your friend whose business hopefully went up last week? But someone who is going to manage and be on top of it and show a lot of pride, I think it is very important who they put in there.

The bills are now ready for final action, all in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES Eight NOES None

Bills have received the legally required number of votes and have passed finally.

Mr. Ricciardi:

I have a number of bills to be presented in the name of myself and Mr. Hertzberg and then Mr. Hertzberg has a bill to be presented just by himself without my name as part of the record. Thank you.

MR. RICCIARDI PRESENTED:

Bill No. 1177:

Report of the Committee on Housing, Economic Development and Promotion for January 20, 1999, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1133:

Resolution providing for a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh for the administration and implementation of the "Central Relocation Agency" at a cost not to exceed \$148,800, chargeable to and payable from the 1998 CDBG Program "Central Relocation Agency," Account #566402, Fund #2610, Organization #810000, Subclass C-1998, Project #2215888, Budget Year 1998. --- (PRESENTED BY MR. RICCIARDI & MR. UDIN)

Which was read.

Also,

Bill No. 1134:

Resolution providing for a Cooperation Agreement or Agreements

with the Housing Authority of the City of Pittsburgh for the administration and implementation of the "Central Relocation Agency" at a cost not to exceed \$350,000, chargeable to and payable from the 1999 CDBG Program "Central Relocation Agency," Account #566402, Fund #2610, Organization #810000, Subclass C-1999, Project #2215888, Budget Year 1999. --- (PRESENTED BY MR. RICCIARDI & MR. UDIN)

Which was read.

Also,

Bill Number 1158:

Resolution Authorizing a 1998-1999 Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the designation of the local matching share for a grant applied for in a Single Application for Assistance filed with the Pennsylvania Department of Community and Economic Development ("DCED") under the Communities of Opportunity Program for a \$3,215,000.00 grant. --- (PRESENTED BY MR. RICCIARDI & MR. HERTZBERG)

Which was read.

Also,

Bill No. 1159:

Resolution Authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application for Financial Assistance in the amount of \$3,215,000.00 to the Commonwealth of Pennsylvania Department of Community and Economic Development for the Housing Recovery

Program, Neighborhood Housing Program, Community Development Investment Fund, Pittsburgh Housing Construction Fund, Urban Development Fund, Streetface, and Industrial Site Acquisition Programs. --- (PRESENTED BY MR. RICCIARDI & MR. HERTZBERG)

Which was read.

Also,

MR. HERTZBERG PRESENTED:

Bill No. 1156:

Resolution Authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program (RACP) in the amount of \$7,000,000 for the North Shore Revitalization Project. --- (PRESENTED BY MR. RICCIARDI & MR. HERTZBERG)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Hertzberg:

On Bill Number 1156, which is the one Mr. Ricciardi did not sponsor, there is an amendment that has been circulated and it just inserts a Section 3, it is one sentence. It says the city agrees to reimburse the Commonwealth of Pennsylvania for any reimbursed expenditures determined by the Commonwealth to be ineligible. I am told

by the administration and by the URA that this is just a boilerplate clause that the state requires in these types of the grants.

MR. FERLO seconded the motion.

Which motion prevailed. (**Mr. Ricciardi abstained**)

The Chair:

Any other discussion on the bills? Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Udin
	Mr. O'Connor
	(Pres't)

(**Mr. Ricciardi voted no on Bill No. 1156.**)

Bills have received the legally required number of votes and have passed finally.

MR. COHEN PRESENTED:

Bill No. 1178:

Report of the Committee on Lands, Buildings, and Procurement for January 20, 1999, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1124:

Resolution approving the transfer of ownership of the City of Pittsburgh cable communications from Tele-Communications, Inc., d/b/a TCI of Pennsylvania ("TCI") to AT&T Corporation (AT&T) as a result of TCI's pending acquisition by AT&T.---
(**SPONSORED BY MR. COHEN**)

Which was read.

Also,

Bill No. 1125:

Resolution providing for an agreement or agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts, and for the purchase of materials, supplies and equipment and/or services in connection with the Renovations and Maintenance of Various Public Buildings; and providing for the payment at a cost not to exceed \$50,000.00.

Which was read.

Also,

Bill No. 1126:

Resolution providing for an agreement or agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts, and for the purchase of materials, supplies and equipment and/or services in

connection with the Renovations and Maintenance of Various Public Buildings; and providing for the payment at a cost not to exceed \$65,000.00.

Which was read.

Also,

Bill No. 1127:

Resolution providing for contracts and agreements or the use of existing contracts or agreements for the purchase of equipment, materials, supplies and services, for rehabilitation and removal of under ground and above ground storage tanks and providing for the payment at a cost not to exceed \$700,000.00.

Which was read.

Also,

Bill No. 1128:

Resolution authorizing a Cooperation Agreement or Agreements which provides for the transfer of funds not to exceed Four Hundred Eighty Three Thousand Six Hundred Eighty Dollars (\$483,680.00) to the City of Pittsburgh Equipment Leasing Authority for the purchase of vehicles, radios and equipment for use by City of Pittsburgh Departments and Authorities.

Which was read.

Also,

Bill No. 1129:

Resolution authorizing a Cooperation Agreement or Agreements

which provides for the transfer of funds not to exceed Three Million Seven Hundred Sixty Five Thousand (\$3,765,000.00) Dollars to the City of Pittsburgh Equipment Leasing Authority for the purchase of vehicles, radios and equipment for use by City of Pittsburgh Departments and Authorities.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Cohen:

On the bill dealing with the change of ownership from TCI to AT&T, which is Bill Number 1124. I have amendments that I have circulated. They are technical amendments for the first three or four and that is to change the name from TCI to TCI of Pennsylvania to be legally accurate. Then on the final page, Mr. President, there is a fifth condition that we have added. If I can just take a brief moment and explain what the four conditions are prior to that.

Number one is that TCI which will become AT&T or will have a change of ownership to AT&T retain its main operating facility in the City of Pittsburgh presumably and hopefully at the Corliss Street site where it is right now in the West End of the City of Pittsburgh.

Number two that TCI and AT&T will honor the current franchise agreement and all terms and obligations of that agreement.

Number three that they resolve any current violation or non-compliance with the franchise agreement in the area of construction and maintenance and in the area of potential city liability and in the area of franchise fee review.

The fourth condition, all of these were approved preliminarily last Wednesday, is to ensure that Internet access revenues are part of the gross revenues. The term gross revenues in the Cable Act of 1984, which would be subject to a franchise fee as are the rest of TCI's revenues for its cable system.

And the fifth which is the amendment to the only real substantive amendment today which was suggested by the Solicitor, is that the change of control of TCIP, which is TCI of Pennsylvania, to AT&T receive all other necessary and appropriate legal approvals and authorizations including but not limited to approval of the Federal Communications Commission. The Department of Justice has approved this transfer or this change of ownership. The Federal Communication Commission has not yet and we want to make sure that the change of ownership here in Pittsburgh is subject to that approval at the national level.

One last thing, and that is the issue that had a lot of national attention. That is what is referred to as the open access issue and that is whether or not TCI will allow other Internet providers on its at-home system through its wires. That is an issue which I believe is really a national issue that should be decided by the Federal Communications Commission. At the same time it is an important issue to the consumer because it will result in greater competition and, I think, eventually lower

rates for those who use Internet access. A resolution is being drafted by the Law Department right now that I look forward to co-sponsoring with Councilman Diven and Councilman Ferlo who have both expressed interests in this issue. We will have it before Council at our next legislative session. Thank you. Those are my amendments.

MR. HERTZBERG seconded the motion.

The Chair:

Any discussion on the amendments? All in favor?

Which motion prevailed. (Mr. Ricciardi abstained on the amendments.)

The Chair:

Any other discussion?

Mr. Hertzberg:

I want to really thank Mr. Cohen for his hard work on this issue and I think for really digging in and carefully looking at all the interests involved in this merger because it is a golden opportunity for us in this region if AT&T comes in with what they are bringing in. The information super highway with this approval comes their promise to make all of these what are now cable lines also lines that will be available for computer users which is going to put us right at the top, right at the forefront of the information super highway.

I also want to thank him for putting these conditions in here particularly the one about the TCI facility which is located in Council District Two. It has

approximately 500 employees now. It maybe the largest employer in Council District Two. There are a number of spin off affects that people don't realize. Not only do they employ a lot of people there, but the gas station across the street, they buy all of their gas there all the trucks, the drivers as they go out to do their work. A lot of the people eat at the restaurant across the street or they eat at the restaurant in the West End. There are a lot of positive benefits that Council District Two and the whole city gets out of having this large employment center there.

So I thank Councilman Cohen for keeping that in mind and also AT&T and their commitment to leaving the employment center there and also to promise that we will actually have employment growth there.

Mr. Cohen:

Thank you, Mr. President. I want to thank Councilman Hertzberg for his comments. I do believe that the merger with AT&T will be a positive development for Pittsburgh. We will certainly negotiate with them long and hard on Cable Franchise Renewal, which is coming up. Our current agreement expires October 31 of this year. We have already started negotiating and we will certainly negotiate in strength, but at the same time I do believe that this will be a positive development for Pittsburgh.

AT&T has committed at least between 20 to \$25 million over the next two years to upgrade our infrastructure. They have committed to improvements in customer service. They committed to add at least 100 employees to the Corliss Street facility and hopefully 400 employees over

the next few years. Those are all positive developments for Pittsburgh.

At the same time that we're going to negotiate firmly with them we also want to recognize for what it is which is a positive development for Pittsburgh.

Mr. Ferlo:

Mr. President, I once deferred to the letters TCI as treachery consumer contempt and ingratitude. Maybe that was a little bit harsh but that was at the height of a rate case that we had pending. We can only improve the situation with this vote today with the merger or really I guess you would say the big bear eating up the smaller bear in this case AT&T gobbling up TCI.

From a legislative advocacy point of view or from a consumer advocacy point of view, I think we will fair better in the future with AT&T at the other side of the table. I think we have more ability to communicate to them. I think they are more conscious about their consumer policy. I think they are more conscious about their interaction with the community. This is no way a reflection of the individuals who work either at the top level at the workforce of TCI, they have all done a good job, within the context of the corporate management and the manner in which TCI operated as a company.

But in the future, I think we will fair better with the AT&T sponsorship of this activity. I think we have more ability to argue our case, argue on behalf of consumers in terms of choice, in terms of options. Also, I think the technology that will unfold over the next five years offers at least the potential for a better break for

consumers with more choices. So I am voting for this in that spirit.

The Chair:

I think you all summed up very well and especially at the hearing. You are looking at TCI whatever our previous battles were certainly wasn't about the employees but the direction of what called TCI for midsize company compared to a giant company that really wants to has the desire, the will, and the money to go into the next century and certainly has more to offer than any other company not just TCI.

So, for all the reasons stated here and at the Public Hearing I think it puts us in a much, much better situation. Hopefully not only these employees that work for them, but the additional employees that will be coming. The commitment to stay here in the West End is certainly beneficial to the city and the region, but I think and I share with Mr. Cohen, we're looking for your leadership and push on behalf of all of us with the administration to make sure these deals are finalized and not at the last minute.

So we have to hold something for the Public Hearing that we missed and whatever reason we dragged these negotiations out. If they are as committed as we feel they are, it may be a lot better and could even beat the October deadline.

Mr. Cohen:

We have a meeting on February 10th for our next negotiations session, Mr. President. I will be happy to report to Council after that.

The Chair:

In fact they could take a lesson from Nabisco. I am sure they're going to negotiate a lot better than the previous people that were just in the building, or the company not the people that were here.

Mr. Ricciardi:

Thank you, Mr. President. First of all, I would like to commend our colleague Mr. Dan Cohen for his hard work on behalf of all cable ratepayers in the City of Pittsburgh. His hard work, his tenacity has really proven some successes. I would like to thank him for that.

Colleagues, I have two amendments before you on I believe light blue paper. Let me first say briefly that several weeks ago this body sponsored an amendment to a resolution put forward by Councilwoman McDonald regarding the TIF review process. At that time that amendment which was cosponsored by all members of Council read only domestic steel is permitted to be used in any construction projects which receives tax incremental funding, TIF, from the City of Pittsburgh.

The amendments I would like to put forward are a continuation of that thought. The thought being that we are witnessing illegal dumping of foreign subsidized steel in the United States of America. We have witnessed a number of job losses in the steel industry. The Clinton administration, President Clinton himself is moving very slowly. Even senators such as Senator Specter has put forward or supports sanctions against countries such as Japan, Russia and Brazil.

These amendments I am putting forward what we are saying is while Mr. Clinton and others might be dragging their feet, we're addressing this issue on a local level. Thus motion to amend Council Bill 1129, also motion to amend Council Bill 1128 whereas foreign steel dumping has become epidemic in the United States. The specifications regarding frames, bumpers and wheel rims for all vehicles and equipment purchased by the equipment leasing authority shall mandate the usage of domestic steel only.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

Bills are now ready for final action, all in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Udin
	Mr. O'Connor
	(Pres't)

(Mr. Ricciardi abstained on Bill 1124.)

Bills have received the legally required number of votes and have passed finally.

MS. MCDONALD PRESENTED:

Bill No. 1179:

Report of the Committee on Parks, Recreation and Youth Policy for January 20, 1999, transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill Number 1131:

Resolution further amending No. 263 of 1997, effective May 22, 1997, entitled: "Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses maintenance, purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$108,000.00, chargeable to and payable from Code Account 1805 (180505) Miscellaneous Services, Recreation, in the Department of Parks and Recreation." By changing Southwest CDC for Broadhead, Fairywood, Westgate Assoc. \$2,000.00 to read Oakland Westwood Athletic Association \$2,000.00 and Westside Youth Committee \$2,000 to Windgap-Chartiers Athletic Association \$2,000.00. **---(SPONSORED BY MR. HERTZBERG)**

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Bills are now ready for final action.

All in favor of the passage of the bills please vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Ricciardi
Mr. Udin	Mr. O'Connor

(Pres't)

AYES Eight NOES None

Bills have received the legally required number of votes and have passed finally.

MR. DIVEN PRESENTED:

Bill No. 1180:

Report of the Committee on Public Safety Services for January 20, 1999, transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1141:

Resolution establishing a committee to recommend revisions to Section 719, Vendors and Peddlers of the City Code, and any other provisions of the Code that pertain to vending and peddling in the City of Pittsburgh. —
(SPONSORED BY MR. UDIN).

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Udin:

Thank you, colleagues. I want to thank you for your support and urge colleagues to be active participants on this committee which will attempt to fashion legislation that will govern vending and peddling in the City of Pittsburgh. It is a very open and inclusive committee and we will try to incorporate a great number of contending interests and points of view. Once the bill is passed, which I anticipate it will be, hopefully, I intend to call for a Public Hearing that will formulate the basis of the information and perspective that the committee will use to do its work.

But first I would support colleagues participation, I mean support of this bill and thank also Councilman Ferlo for his insight and help in moving this process forward and trying to determine how we as a city will handle the issues related to vendors and peddlers.

The Chair:

Bills are now ready for final action, all in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Ricciardi
Mr. Udin	Mr. O'Connor

(Pres't)

AYES **Eight** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

Mr. Udin:

Motion for a televised Public Hearing on vending and peddlers.

MR. DIVEN seconded the motion.

Which motion prevailed.

MOTIONS AND RESOLUTIONS

The Chair:

I have under motions and resolutions, the chair presents two appointments David Epperson from the URA and then Linda Cobb for the Magistrates Court.

MR. O'CONNOR PRESENTED:

No. 1181 A resolution authorizing the reappointment of David Epperson as a member of the Urban Redevelopment Authority of Pittsburgh for a term to expire December 31, 2003.

Also,

No. 1182 A resolution approving the reappointment of Linda Cobb as a

member of the Pittsburgh's Magistrate Court for a term to expire December 31, 2002.

The Chair:

Would you like these individuals to come in front of Council or do you want to vote on them today?

MR. UDIN moved to adopt.

Mr. Ferlo:

I respect the majority, but these individuals have served well the city for a good number of years. I know and I have worked with them. I don't know what the colleagues pleasure is on it, but I am prepared to vote now for these individuals.

Mr. Hertzberg:

All right, I know Mr. Epperson doesn't require our approval. Either way, I am happy to approve him on the URA Board. He has been excellent to work with and I think we all know him and also Ms. Cobb. I don't see any reason we can't move right now.

MR. FERLO moved to receive and file motion on Mr. Epperson and moved to approve and vote on Ms. Cobb.

MR. UDIN seconded the motion.

Mr. Ferlo:

We are going to bring these individuals here we are going to waste a half-hour telling what a great person they are.

The Chair:

I believe the work of the individuals plus the support of the Chairman of the URA plus Mr. Udin you want to say anything about Ms. Cobb?

Mr. Udin:

I want to again support the notion of immediately approving both individuals who have served the Urban Redevelopment Authority and Magistrates Court with distinction for a considerable number of years. We're familiar with them, we appreciate their work and volunteerism and I am prepared to vote today.

The Chair:

Roll call vote on the two appointments.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Ricciardi
Mr. Udin	Mr. O'Connor

(Pres't)

AYES **Eight** **NOES** **None**

The Chair:

I certainly want to thank both individuals for serving and I think it is appropriate we show unanimous support for both of their hard efforts.

We have a Public Hearing coming up this Thursday, January 28th, at ten

o'clock. It will be televised concerning the news racks.

Mr. Ferlo:

Motions and resolutions not on news racks which I am all for if they are in the right place.

Mr. Chairman, I would like to discuss the lunar landscape of the City of Pittsburgh and that is the issue of potholes. Now, at the height of the snowstorm, about a month ago, everyone was talking about the snow and if you remember, I actually started talking about potholes earlier.

Now I am not in any way criticizing the administration, the director of the staff, everybody is doing a great job, they are working hard, they are trying their best. But it has to do with the manner in which they're working and whether or not we are making something a priority.

I don't know if my district is different than the rest of the city, I don't think it is. There are some very serious, severe potholes that really border on criminality in terms of what happens to both the vehicle and God forbid the passengers or somebody innocently standing by. There are people stopping abruptly causing rear ending. There are people who have front ends now in their back ends. I can show you a pothole for instance in front of Minutello's, new (inaudible), Giant Eagle it is all the way down to the Belgium block and the railroad tracks that you haven't seen in 35 years.

The old trolley line track, it's about eight inches deep. It's not visible at night

until you are right up on top of it. I witness a near accident fortunately there was no ice on the streets so the person was able to break. That is just one example obviously but there are hundreds of potholes. It is more dramatic than the last couple years that is not a subjective view on my part, that's an objective view of having traveled down many city street.

But what upsets me is we had a beautiful weekend, it was probably close to 60 degrees on Saturday, there was not one Public Works vehicle out at least in my district filling potholes. I realize we have a financial predicament. I realize there are overtime considerations, but somehow we should be able to meet with the work force, meet with the union involved. Maybe we could have traded a Saturday workday with filling potholes for give them a personal day throughout the year if they want to take an extra hunting day, if some tragedy happens in their family no questions asked, give them a day. Sometimes we just work with our workers and ask them would you consider it. Sure everyone wants to try to make some overtime, but maybe if we didn't have the overtime money, maybe some of the workers might be willing.

I am not trying to get into collective bargaining or anything, I am only saying we have to do something different than what we have been doing in the past. If we don't have the resources, then we should meet with the workforce and their bargaining representatives and talk about giving them a couple pass days for a day that we are trying to mobilize people. But Public Works needs to mobilize a pothole brigade to deal immediately with the severe Public Safety hazard that many of these potholes present.

The reason why I am speaking about this now, I don't want to in anyway convey that I am beating up on the workforce it is not my intent here today. We get enough attacks from everybody; it is not my point. But we are not working smartly and we are not working appropriately. The specific concern I have is that the administration, I think, because under public pressure they feel that this is the best way for them to react. I would ask them to rethink this policy.

The policy right now is if people have flooded the Mayor's Complaint Center they are responding to those calls. Now in a way you would think that is good, we're responding quickly to consumer complaints from our constituents, but it is not logical. It doesn't make any sense. Half the truck drivers time and half the crews time is spent trying to figure out which street to go and how to fill the pothole and how to get to the next Mayor's complaint street. Go down the main roads, hit the main arteries, the main roads forget about the Mayor's Complaint Center.

There are thousands of potholes out there. It doesn't make any rhyme or reason for me as to why Public Works is responding specifically to constituent complaints. We should tell those people we're doing our best, whatever. We should record it, it should go into some planning process, but the trucks should hit the streets in an organized grid system. I would say do the main roads where people are driving more quickly. So if it is Mossfield Boulevard or Butler Street or Smallman Street, or Negley or Penn that should be a high priority.

They should go down there in a quadrant, they should do it, they should tamp it spend a little extra time if they have to. I am also concerned about the manner in which they are doing it. Go to the smaller secondary and tertiary streets almost like snow removal. Usually if it is a neighborhood residential side street people will be driving more slowly, take their time a little bit more and they will put up with it. Once people start getting on the main routes, that is where your cars are going more quickly and that is where a lot of these accidents are going to happen.

I had a gentleman from Stanton Heights blew out a tire on, I think it was either on Smallman Street in the Strip or maybe Butler Street. I told him to file a claim with the Law Department. But it just doesn't make any sense. They are not thinking over there in terms of how best to mobilize the workforce to get the job done. I would disagree respectfully with the administration's view that they should jump around all different places and fill out and respond to constituent complaints. I mean, that is not logical and it is really not the best utilization of the staff time.

So, please could somebody restore some commonsense and order there in Public Works, get back into a program? Again, I offered to volunteer, maybe we can get if it is not violating the workforce for anything. I will pick another example, yesterday morning at 8:30 two Public Works workers have a big dump truck double parked on East Liberty Boulevard and what are they doing, they are picking up litter on East Liberty Boulevard corridor with the stick, which is great. I am pleased to see them out doing that, they are great workers, they are doing a great job. But with all the Public Safety hazard

that potholes represent right now, and it really is a lunar landscape, why would you have two of your workers with a big truck picking up litter along East Liberty Boulevard. I mean maybe I am missing something here but it is like mind boggling to me in terms of maybe they don't think it's a problem, maybe nobody drives around in the city, other officials and they don't hit potholes, but I mean it is a safety concern.

I feel sorry for some of these school buses that are stopping abruptly. I mean God forbid some of the -- we don't even know all the accidents that happen because we don't have a way of recording them. But I would ask that, please that Public Works regroup, ask us for some input, ask the community groups for input, even volunteers. I would volunteer to work a patching brigade over the weekend or in the evening. But don't respond to Mayor's complaint calls because you are jumping around, half of your time is spent down time. Go down the main routes, hit the main routes and fill the darn potholes then go secondary, tertiary streets.

Please, can someone restore some commonsense?

The Chair:

The main routes may not be on the report.

Mr. Ferlo:

Again, this is not a reflection on the workforce, but they are being told what to do. We need some better generals, let's put it that way.

The Chair:

I think we have a few more comments.

Mr. Ferlo:

Let me finish my one point, because this is what bugs me. Council was very supportive but if you go out and analyze those darn potholes, I am going to tell you why my bill earlier this year that we passed was so important, but it is still going to be ignored by Public Works I will bet. I will bet 100 bucks right here, 80% of all potholes can be directly contributable to where we had pre-dug the street by contractors or utility company. That is your first sign of major potholes in the City of Pittsburgh. Not one street that has been nicely paved and resurfaced, it is where you have breaks in the street that were never put down right, never tamped, never put clean fill, weren't sealed properly. That is where if you go down and do a survey of the potholes in my district 80% of them are in that category. That is why my bill holding these contractors accountable and for better inspection is important, but I might as well be speaking in the wind and whistling Dixie or whatever.

Ms. McDonald:

I have quick comments and then I expect to hear from the Chair of Public Works. I always host a monthly show on PC-TV Channel 21, cable channel, called District 9 On Line which reports, things that are going on in the Council District and in the community.

Ralph Kraszewski had called into the show to talk about just that very subject. It is a very timely matter because we brought up potholes as well. My

understanding from what his comments were and his call in is that when a pothole line is called or the Mayor's Service Center is called that they prioritize the pothole location. Now I know, Jimmy, they prioritize. This is what he said, don't shoot the messenger. That there is about a two, three-day turn around time.

I think it is very fitting that since we are going to be discussing with Mr. Kraszewski as well as others the 50 person employment projection like where does it stand with these 50 extra workers, that we can bring this up and get some definite on how they are handling the potholes? I do know on some of the main drags and going through my district that yeah they have thrown what do you call, cool patch they just throw it down and smack it down in there and it works. So I look forward to that discussion myself tomorrow.

Mr. Hertzberg:

Thank you, Mr. President. I indulge the Chairman of the Finance Committee if we can also ask the Director what the actual plan is because I don't know the whole plan for pothole patching. Other than we are working on it and trying to do it, but I think anyone will tell you that's involved in roads and road maintenance the main cause of the potholes and the reason why this part of the country has so many of them are the temperatures fluctuation.

This year has been as bad as any year I can ever remember where we started out with zero and below zero temperatures for the first week of the year, then we are back into 60's, we are back down to the same thing. It is the ups and downs that are a large part of what causes potholes

and that explains why this year is going to be one of the worst years or already is one of the worst years.

We definitely have a bad problem and I think we need to hear from the director. I appreciate the Chairman of Finance letting him do that at the beginning of the meeting tomorrow after we discuss the 50-vacancy problem.

Mr. Udin:

We will notify the director but I believe the pothole plan is the same as the snow removal plan.

The Chair:

What are we going to have a meeting in July and talk about it for next year?

Mr. Ricciardi:

I would just like to echo some of the sentiments of my colleagues. If you start off with Mr. Ferlo to paraphrase he is saying somehow, somehow we need to take care of this pothole issue that we have here in the City of Pittsburgh. And he laid down some facts, the facts are that we have a very fine work source, workforce. The problem is that we don't have enough resources in terms of funding to take care of snow and ice removal in the City of Pittsburgh. Also, fixing the potholes.

Tomorrow for the second week in a row, and I am looking forward to everyone's support, I have three pieces of legislation on the table. One is creating a trust fund, one is moving \$300,000 from the general fund to the trust fund and the third is creating the Storm Team part-time

drivers and laborers here in the City of Pittsburgh to address several issues.

If you read the legislation carefully, the issues that they're going to address is snow and ice removal, distribution and filling of salt boxes and fixing of potholes. So if we are that adamant, and that sincere and that committed to addressing the pothole problem here in the City of Pittsburgh, we see the present system is not working because it doesn't have the resources. Tomorrow I hopefully will productively put forward pieces of legislation that everyone should support.

You can't tell our constituents that we are trying our best and we are going to take care of those potholes and you can't turn around and say Public Works is doing a great job, which they are so what are we missing, additional resources. Let's vote for \$300,000 tomorrow from the general fund. We have already talked to unions such as 1058 and they're willing to have special project laborers like we do in the summer to cut logs and pickup litter. So I have put something forward I am looking forward to support from this body tomorrow.

Mr. Cohen:

Thank you, Mr. President. I will be brief. I want to echo what my colleagues have said. There are primary streets in my district that look like swiss cheese right now. There is a serious problem. The people of Pittsburgh, I think, have been very patient actually over the last several days. My office has not gotten a lot of calls on this, I shouldn't say this because we probably will now, at the same time as I travel through the streets of my district, there are streets with serious,

serious potholes. So we need to move quickly.

I asked for Ralph Kraszewski to be here tomorrow primarily on the issue of how quickly we are filling those 52 vacancies, but certainly the issue of potholes should come up tomorrow and we should hear how Director Kraszewski is planning to attack that problem.

I certainly support Councilman Ricciardi's legislation to add new resources to it.

Mr. Ferlo:

I want to respect my colleague Mr. Hertzberg. For 30 years I have been hearing this story about why we have potholes and Western Pennsylvania roads being so bad and the freeze thaw, I think it is about as accurate as the big bank theory. I don't buy it any more. I think there are other reasons substantially why we have problemsom roads.

I failed to make my explicit point because everyone is going off on a different point. I am not talking about additional resources, I am talking about how we are deploying and prioritizing the existing workforce duties. What I am asking is that even though I love litter pick up, even though I love receptacles, most of which are empty right now at this time of year, being picked up in the middle of the night, why can't we re-deploy some of our tasks in Public Works to make an immediate hit in the better weather for potholes? I am asking for rethinking and remobilization of what the daily tasks are of the people that we have in our employ. I am asking them don't be business as usual.

Can we not pick up receptacles for two days? Can we not have to be out picking up litter in the park for two days? I am not saying it is not important to do, I am only saying that a major public safety hazard of an eight-inch pothole is a threat to life and limb. I am asking for the administration to rethink what they're doing. I am not asking them to reinvent the wheel or try to go figure something out that they don't know how to do. I am only saying it's a priority that is not recognized by the administration.

I would ask that they re-deploy and rethink their work plan for a given week. If we get five days on the payroll of bad weather, you can't do potholes and you get a 70 degree Saturday, talk to the Union see if we can work something out or pay the overtime if you have to. I mean that is what I am asking. I don't think that message got across appropriately.

The Chair:

The city is like a --

Mr. Ferlo:

You know I wish some of these graffiti knuckleheads they want to do something socially productive, I would ask them to go out and graffiti the darn holes in the street at least. They would if they could use some bright paint it will at least give drivers a forewarning.

The Chair:

I am glad I don't bet because if the city was a football team I would never bet on them because they would fumble the first two carries.

I would like the media, I see one or two of them papers still here, when we start complaining about the snow removal, it wasn't against workers. Somehow I felt bad, I was downtown I was taking my kids to the arena for my grandchildren and a truck driver came up and it was snowing and icy and no one should have been out. He said why are you guys picking on us? We're not picking on the drivers.

I do want to start with one positive here, Lincoln Place the garbage pick up is Friday so two weeks in a row because of the ice and storm -- last Friday to Mr. Kraszewski's credit and I pushed and they put an extra crew on. They worked Friday night picking up the garbage, cleaning the street. They worked Saturday and they worked Sunday because they were behind giving them the benefit of the doubt.

One of the -- I am going to say this twice, and I won't mention his name, third time I am really going to put it in writing his name. One of my friends who delivers garbage I know said the boss came over to him and said well you can thank your Councilman for getting us out here on a Friday night doing this work. It's the guy we just happened to give a big raise to, the boss. So this is time for the Mayor to really --

Mr. Ferlo:

We only give what we can take.

The Chair:

-- reconsider who is running the store. Put it into perspective, here are guys out on a Friday night, rain, snow and sleet

picking up garbage in the dark to do their job and a boss saying blame it on O'Connor and your other Council guys for putting pressure on.

I was in church Sunday, one of our laborers I said because I saw him doing -- it was on TV doing some of the work, and I said I saw you on TV the other day filling potholes. I said how many guys you got out this weekend? None. No one is out this weekend. So there is no one home, turn on the lights, there is no one leading this team here.

I want the papers to make sure they realize it is not the workers, it is the management. Mr. Ferlo, you may have given the answer, hey you want to work this weekend, next Sunday is Super Bowl weekend, we will give you off. How about an extra day off in July? Throwing money at the situation is not the problem? The leadership is the problem. Now if it hits the news they will probably put 20 more extra or double the force tomorrow night in case it snows tomorrow night. So there is no one taking advantage of it. I see the schedule from falling, running up one street and the other just like you said, Mr. Ferlo, go down the main street. There is no traffic in the city on Sunday, especially in our neighborhoods, business districts, go down the main streets and fix those on the weekdays fix the other streets.

I am afraid there is no one home at the top. So I hate to keep bugging and I will talk about materials. I have been told by a pretty substantial businessperson that you ought to investigate what kind of materials are going into these streets? How come they don't have this problem in other cities? Not just talking about ours, you know we sub out half of our asphalt

work. Is anyone checking what is going in there? For ten cents more can we get a better quality material?

Again, I am not an expert by no means, but these are the types of things we should be looking at. So, here we are, it is Monday, we are making some noise. If they start tomorrow, they are four days behind anyhow. So, with that attitude, I hope the leadership changes directions. If they need money, I am afraid if you throw money at them they will bring them out when it is snowing. If the leadership doesn't have the commonsense to go out Saturday and Sunday when no one is out, the weather is nice even if they go out today then they have all the traffic the Monday morning rush hours.

So I really want Mr. Kraszewski to look at his leadership team and make some decisions and start using commonsense. If they can't do it, they ought to start talking to some of the workers because they can give you a lot of suggestions. One of my most successful things in the restaurant business was I listened to my employees and we got a lot more ideas out of them than we got in magazines.

Mr. Diven:

I would also like to just chime in here briefly on this. Last evening I stopped at Fiori's Pizza. I probably ate more meals in Fiori's Pizza than my mom's kitchen and Fiori went on about the terrible condition of the street right next to the restaurant. I understand that. I think Mr. Ferlo makes a great point about giving Comp. time out to employees to bring them out on weekends and give them the opportunity to earn an extra vacation day somewhere along the year.

Additionally, I agree with the concept that the workforce is working hard and working very strong to correct the problem. But the problem lies with the management; they're not working smart. And I think that we have heard a number of excuses, it was the access the gasoline wasn't there, but when you have the General Services Director in he says that wasn't a problem. They talk about trucks being out of trucks, but then when you talk to General Services they said at no time was more than 10 percent of their fleet out. In fact, they also had vehicles that had plows and were available that were not utilized. So that's a big thing with the management of that department. If we're not utilizing the materials and the resources that we already have in that department then there is a problem.

I know that you come in and present a slick ice and snow removal plan and like Councilman Ricciardi is fond of saying when we went up to Carrick a gentleman told us what we can do with that snow removal plan and that's the same thing. I think if we're going to go look at this, we need to do it efficiently and we need to be doing it smarter. Any time it snows as soon as the weather warms up it and it thaws you can expect we're going to get some degree of potholes in the City of Pittsburgh. Having a plan in place to go through and do them efficiently and make sure the primary roads are the first serviced and then work out towards the secondary and tertiary roads, that should be commonsense that should be evident to anybody in that department. I think the fact that we're not operating like that speaks volumes of what's going on.

Additionally, one point that I

wanted to bring up separate than that. When we talk about the Comp. time for workers going out on a Saturday and Sunday, I think another issue needs to be raised. I think we should acknowledge the work of people in central positions for the City of Pittsburgh. I know that when the Mayor dismisses non-essential employees, you still have people in Public Works and Public Safety that have to brave the weather no matter what the conditions are. I think it becomes a moral issue for those people that say well everyone else in the city gets off and we are out here slopping around in this mess to try to make sure that the city doesn't fall apart. Even looking at expanding the idea of using Comp. time to essential employees when the Mayor makes a decree that non-essential employees can take the day off, we should look at providing the same kind of thing with the essential employees that are out in that mess. At least so that they know when they're out there on a day when everyone else is at home watching TV or drinking coffee with their slippers on that some where in the future they are going to receive the benefit of putting in a hard days work.

I think moral plays a big part in their ability to work more efficiently and get more accomplished in the time that they have on their shift.

So I believe that that is something also we need to be looking into to try to reward the guys that are out there for 12 hour shifts, the people that are making sacrifices and being away from their family and working hard. It is not their fault that for whatever reason the management can't get it right and they have to do the same things two and three times over before the job is done right. I

think that is something that we need to look at the policy and set the pace for the department heads. So with that I will wrap up my comments.

The Chair:

Does Public Works have a suggestion box that maybe you can ask employees if I work this weekend can I have a July weekend off? There are so many things we can be doing and showing. I am tired of them telling me it is not in the contract. I heard that from the cops. I can't pick that guy up because it is against his rights or we are not allowed to do this and that. If there is a will there is a way. If they're going to trim our workforce and brag about it, they better make adjustments and so far these adjustments haven't happened.

Mr. Hertzberg:

Mr. President, I have never seen a suggestion box in any of the Public Works facilities. But there is no doubt that to manage any department effectively whether it be Public Works, whether it be the police, whether it be General Services, you have to talk to the people that are doing the work. You have to talk to people at all levels. You have to get their input to determine what the best ways to do things are. What equipment is needed? What supplies are needed? You have to talk to everyone.

The Chair:

Maybe next time we bring them in, bring employees in with hoods on so they can tell us the truth.

Mr. Ferlo:

Point of order, I am a little confused by the Bill we approved 1129, I thought we agreed in committee to Mr. Diven's amendment, did I miss something today? The bill as amended eliminated the purchase of certain police vehicles.

Mr. Diven:

There was no amendment of it.

Mr. Ferlo:

We amended the bill in Standing Committees Meeting.

The Chair:

I thought we amended the bill at the table last week? You are correct. They are going to delete the ten compact cars. You requested it and we voted on it.

Mr. Ferlo:

But it is not, I am saying we approved an amendment, which I don't see in this document that we just approved. Maybe the Clerk has it on the bill unless I am missing something, Bill 1129, I believe it was clearly a positive vote at the Standing Committee Meeting to eliminate some vehicles.

The Chair:

They were supposed to be removed, so they basically shouldn't have been in there.

Mr. Ferlo:

I didn't see the language in the bill

we just -- can the bill be corrected by the Clerk's office pursuant to Mr. Diven's motion last week?

The Chair:

Do we need to vote on that?

Mr. Ferlo:

No, I am just asking the Clerk to clarify the --

Mr. Udin:

Thank you. I just want to request that the last person leaving the dark smoky past of Pittsburgh bring the FOP along with them. The FOP is sponsoring what I consider to be an unfortunate rally for Thursday, the day that we in the city will be dealing with the reopening of the -- dealing with the public inquest around the shooting by Officer Cooperstein, the Blue Knight. We are spending all of this time trying to build a new city, trying to create a new economy, we are working on Plan B, we are trying to build stadiums, trying to keep young people in the city. We are trying to move forward into the future, and it seems like the FOP leadership is trying to keep us ball and chained to the plantation to the past. I don't see how the leadership of the FOP is calling such a rally as they have called for in support of Cooperstein is helping us to move forward.

We are just last week I am on the board of the Housing Authority and we just settled a case where a Housing Authority Officer, John Charmo was involved in a chase that resulted in a death of Jerry Jackson and that case will be reopened as well. I am sure that the

officers involved in that case, even though it's extremely clear to everyone who paid any attention to the open inquest, knows that the story that was fabricated around the spinning automobile inside the smallest, darkest tunnel in the City of Pittsburgh, is a story that could not have been true. And not, most of the attack is being directed at Chris Conrad, the Assistant District Attorney at the time and Officer Charmo. But if you look closely at the details of this case, there is a larger conspiracy to support this lie that Officer Charmo fabricated than just Charmo and Chris Conrad.

There are other City of Pittsburgh Police Officers that were involved in the tunnel at the time and who claimed under oath at the inquest that they also saw the car spinning as well as another Housing Authority Police Officer. Charmo went flying through the Southside, Councilman Ricciardi, at speeds that they report up to 60 to 70 miles an hour from 27th Street down East Carson Street to Tenth Street. 15, 20 police cars flying down the street when the bars and restaurants were letting out at about between one and two in the morning. Then they go flying across the Tenth Street Bridge and Charmo is ramming his car into the back and into the side of this other car trying, the Jackson car trying to stop it.

The whole police chase that went through many neighborhoods throughout the City of Pittsburgh was a chase that resulted from a traffic stop. That is really what the chase was all about. Even though they tried to fabricate the story that it was a stolen car and that the car spun around 180 degrees and was coming back out of the tunnel at the direction of the officers and that's what justified them opening up

their gunfire. That story could not have been true and they didn't know that it was a stolen car until after the incident had stopped.

Then there is the case of the videotape. Commander Freeman arrived at the scene with his investigative unit, they videotaped the scene, Commander Freeman told everyone at the scene he did not believe the spinning car theory. He told the Assistant District Attorney that he didn't believe the car spun around. He didn't tell the FBI that he didn't believe the car spun around. Yet, we still have this story being supported by Chris Conrad throughout the inquest where he was coaching the witnesses and helping the witnesses to stick to their story and refusing to point out contradictions in their story.

So we have a large conspiracy here to cover up this situation that happened in the tunnel. I hope that the justice department will be watching it closely. The FBI was informed of the fact that the investigating homicide chief did not believe that the car had spun around justifying opening of fire. This officer had Talon, Black Talon ammunition. Black Talon ammunition is like ammunition that is like a bullet with ten fishhooks on it. The fragments open up when it enters your body and form a kind of a hood so that the bullet will do more damage to your body tissue being removed from your body than when it went in. What in the world are we doing with Black Talon ammunition like that on the Housing Authority Police Department? I don't understand it.

If what we're trying to do is to pull this city together, make it a city that everyone wants to live rather than staying

in the past. I hope that the FOP rather than deciding to support the Blue Knight and officers who obviously weighed in ambush and who murder African American men, I would hope that they would be calling for justice, just like the rest of the community is calling for justice and not closing the ranks behind this thin blue line to keep us in the past.

Mr. Ricciardi:

Yes thank you. Thank you, Mr. Udin. Colleagues, throughout the years I have been very supportive of our police officers here in the City of Pittsburgh and that included the FOP. I have been very supportive of those officers and the FOP through our votes on budgetary matters and I have taken up some issues in opposition of some issues that were also opposed by police officers and the FOP such as the Consent Decree and the Civilian Review Board.

However, I am very disappointed with the FOP and certain officers. I am also very taken back by them regarding this rally that I believe is going to occur Thursday morning. I read some initial reports over the Internet and it has been stated that there is no relation between the rally and the inquest of the Grimmet family that is going to occur. But if you look at some of the facts, the rally is to occur Thursday, the same day I believe the Coroner's inquest is to occur. It's on the Court House steps not the City County Building, the Court House steps where I believe also the inquest is going to happen.

I believe it is very sad to be perfectly honest with everyone. It is very sad because the Grimmet family has lost a loved one. I think it is a poor reflection on

the FOP and certain officers. I think it is a poor reflection also on the City of Pittsburgh and it just hurts me personally because I have been a very fine supporter of the police officers and the FOP.

I think we have a fine police force and I do think they do a very fine job. But I think that the rally is really uncalled for. It comes at a very bad time. There is an inquest and I think the FOP has every right to support their police officers through legal means to get to the truth. But to have that type of rally Thursday on the Courthouse steps with the flyer saying certain terminology that it appears to be directed towards the inquest on Thursday, I think it is very unfortunate.

Let me say also over the weekend and I thought about this this morning, I rented a film. I actually paid money to rent a film that had a very insulting remark against Italians. I found that remark in the film that I rented to be very offensive and very hurtful and that was just a remark in a film sitting at home in my own living room. I can't imagine, I know I cannot imagine the hurt and the feelings right now that the African American community is experiencing because of this proposed rally.

I will say that I made several calls this morning, I was unable to reach the President of the FOP. But I did reach a few police officers and I was pleased to hear that it was a very small group that attended the FOP hearing. I think we have to make that a part of the record, it was a very small group and that there were officers there, officers of the F.O.P. that were opposed to this and told them they didn't think it was a good idea. So I think that's important to be part of the record.

Unfortunately, sometimes at a meeting even a small group can dictate a conclusion or dictate policy and that's what occurred here. These remarks I am just making now are just from an average resident, citizen, taxpayer of the City of Pittsburgh, resident of the Southside, but District Three has given me the ability or given me the right and privilege to go beyond that and talk about policy.

I have also asked the City Solicitor, I don't believe that officers have the right to wear the uniform or the badge at that particular rally Thursday at a.m. I have requested our Solicitor to research that keeping in mind obviously that people have the right of free speech, but I have asked her to research that. Just like any other big company, a construction firm, AT&T it is not like they have a position but I think that AT&T, for example would be very disturbed if there was a type of rally and people were wearing the whole garb of AT&T.

So, once again I am pleased that there was a very small group of people at the FOP meeting, I am pleased to hear that some people stood up and an officer as a matter of fact of the FOP and opposed it. I am very proud of those individuals, however even a small group of people can dictate policy. I think it is very hurtful and it really even hurt me because I have always been a supporter of theirs but it is just not the right time, right place. These are remarks that I want to make public and be part of the public record.

Ms. McDonald:

I just want to say I am glad that Councilman Udin brought the subject

matter up. I don't have a lot of comments to make except that I think that the small group of officers who wanted this rally does not represent the police force. Their own officers are given each other a black eye and if this isn't a black eye I don't know what is. This is a black eye. It is so short sighted. There is a young man who is dead for no other reason than fleeing a police officer. One officer, a sergeant new that it was baloney and to call off the chase. But there is a young man who is dead. He is being funeralized, justice is being sought starting on Thursday and a handful of officers are so callous and so cold as to try to hold a rally or their own little party on somebody's funeral. What kind of people are these that are going to attend?

I am curious who is going to attend. But one thing I would like to say is for the listening audience, please rise above that. That's muck, rise above the muck. Go in there if you are going to come down, you go in there and you walk in for justice. You don't engage in banter or anything else. It's not worth it. We have had other rallies that people have urged others to ignore. And I am urging, not only police officers but the public, ignore it. There is a young man who is dead and all that is happening on Thursday is they are trying to find the truth, justice. That's what is going on. Allow that to happen with some kind of dignity and don't dance on the grave of someone who has died at an individual's hands for no reason. No real reason at all.

I think it is horrible that this rally is being held, but understand me and in my eyes how I judge this, this is a party at somebody's funeral. I would never do that. I would never, ever think to do something

like that. This is callousness and insensitivity at it's best. But it does not reflect on our police force, this is a handful because I do commend as Councilman Ricciardi said if there had been a count an actual count, there would not have been a vote for that rally, it was a voice vote. You know those that I guess think a little bit differently from the norm of society often end up being the loudest not that they are right though.

Mr. Ferlo:

Mr. President members of Council, I don't necessarily disagree with the fact that the leadership of the FOP. The FOP has an organization either formally by vote or even individually their membership I don't dispute the fact that they have a right to congregate and have a rally and speak whatever they want to speak as much as any other group that I have ever been a part of. So in that sense I don't have a problem with it.

I have a real problem and I heard Mr. Heinz this morning on KDKA, where once again he attacked my colleague, Mr. Udin, as expected. But the cryptic nature in which this rally is being sponsored and promoted without even a clear theme to me really, this rally is a very cold hearted and calculated effort on the part of the leadership of the FOP, Mr. Heinz in particular. It is intended to in effect have a chilling effect on processes that are under way to determine in a very formal setting what the factual information is regarding two instances.

Specifically, Thursday being an incident involving an FOP officer. So I don't think it is this nebulous thing oh we are going to just show up men and women

in blue and we want to show support for our brother officers and the kind of (inaudible) rally they had, that is not what this is about. This to me is a direct threat by uniform officers with a gun and a badge and I think it is aimed at the elected Coroner Mr. Wecht and I think it is aimed at the District Attorney who is up for consideration, Mr. Zappala. It has even made more mystical and even made for television ready with the Chris Conrad involvement as Councilman Udin spoke about. But to me, this isn't a general rally because that is not even what I think is being promoted in the leaflet promotion. I think this is an attempt to have a chilling impact on the two elected officials and those who are involved in trying to get to the truth about what the facts are.

So far I have refrained from commenting. I have concerns obviously because the information that has come out to date both about the Armstrong Tunnel incident as well as the second incident are significant to give someone a clear impression that something stinks and something is wrong and someone should be held accountable. But I am not in that inquest room and I don't have all the facts. I would hope to get them at some point. But I think we should call this rally for what it is. It is an attempt as far as I am concerned to tell District Attorney Zappala back off, back up and tell Dr. Wecht back off, back up or Mr. Manifesto (phonetic) or Mr. Dowelherdy (phonetic) as criminal defense lawyers presiding over the inquest. That is wrong, it is everything that Mr. Heinz accuses everyone else of and I think it should be spoken out clearly and loudly and resoundingly refuted as an attempt for what it is.

I hope I am not encouraging in any

way that we get into a fight about whether or not they have uniforms on or not. I would rather have them see their uniform. At least I know who they are and have a better chance of seeing their faces like what we used to say about the clan years ago. Some wear a sheet and a lot of people just wear suits. But the point of the matter though is this is a really cold hearted calculated attempt Thursday morning to send a clear message of intimidation to elected officials who are obligated to do their job and indirectly I think it is also aimed at Chief McNeilly and the FBI. To me, I think that is wrong.

I am not going to show up at the rally because I think it would just be provocative. I hope other residents don't show up to counter rally. I think that would be counter productive. If we do have people, I think we should welcome them into chambers or welcome them into the lobby of the City County Building, maybe have a candle light prayer vigil for our city and for the families and the losses that have been involved in these two incidences. But I am very upset about what the FOP is doing right now.

Mr. Hertzberg:

Thank you. I think the timing of this rally is what makes it such a terrible idea. I agree with Councilman Udin and Councilwoman McDonald completely that it's just the equivalent of a party at someone's funeral. I think there was a substantive message though that by the delivery and the timing here has totally been lost. I think the police and just judging by everyone's comments, no one got any other message other than the bad things that are coming out of it and the bad feelings that are coming out of it. But I

think the police are trying to send a message out that there is so much focus now by the news media on chases and I think there is a fear that and what looks like a couple of bad police that were totally wrong. That's what all the facts that we can get are telling us.

But I think the average person may to some degree be now concerned about all police and that's what I think the police are trying to say. Hey, we have to let everyone know here it's not a good idea when a police officer comes to you or pulls you over to take off. That was just the message they're trying that I thought they were trying to put out, not that a police officer is ever justified in the facts as they have been made known to me to shoot at any of these people, they're not. But if we are to maintain law and order in our society, that authority to some degree when it is acting properly has to be respected or we're going to have complete chaos.

I think our police are just trying to bring that across. But they did it in such a poorly timed way and that the message is completely lost. I think it was a public relations disaster. I know that the two families of the deceased men I am sure they feel terrible about it and they should. I can't help but be as outraged as anyone else on this Council about the idea of having a rally on Thursday morning.

Mr. Cohen:

Thank you, Mr. President. Councilman Hertzberg maybe right that that is the message that these officers are trying to send. If so, it has the absolute opposite effect. No rational person that I know has projected the actions of Officer

Cooperstein to all Pittsburgh Police Officers or all police officers. I have never heard that on the streets of Pittsburgh and I have had a lot of conversations about this incident.

But by having a group of officers whether FOP sponsored or a subcommittee of the FOP or whatever to put on this rally does exactly that. So it has the exact opposite message of what they intended to do. I read about this rally in the newspaper and I was sickened by it. I couldn't believe what I was reading. If it goes on, it is misguided and offensive and at a time when the city should be coming together to seek justice in this case without prejudging the facts. It divides the city and I am not prejudging the facts, but no matter how the facts come out what possible reason could there be for a rally?

It is a sad day when a young man is killed. Now if someone of any position of authority were saying we should deprive Officer Cooperstein of his due process of law, well then people should speak out because everyone has the right to due process. But no one has said that. Officer Cooperstein will get due process of law. Unfortunately, the young man Grimmer will not get his due process of law because he is dead.

So to hold some kind of a positive rally at such a sad affair, I think is misguided and offensive.

Mr. Udin:

One short word, Mr. President. I would request that perhaps you as President of Council could intervene either on the leadership of the FOP or the Chief of Police or the Mayor to get the officers

to call off the rally. It's more than just bad taste, its provocative.

How are the people who are appearing at the exact time -- they have scheduled it for the exact same time that people will be entering the Court House for the inquest. How is it possible that there is not going to be a confrontation between the people coming into the Court House and these officers that are having a rally there? That is provocative and a set up. It's dangerous and it ought to be called off.

I hope that you will prevail upon the Chief and Mayor to try to get the leadership of the FOP to either have it later on in the day or earlier in the morning or another day, but to call that rally off.

Mr. Cohen:

Can I add to that very quickly? How are we supposed to provide security for that situation? Bring up police officers who are suppose to defend the witnesses and other people as part of the judicial process against their fellow officers? It's impossible. I capsully agree with Councilman Udin.

Mr. Diven:

I like the rest of my colleagues are disturbed about what has transpired and the point we have come to. I think any time we deal with the loss a young life is more than tragic and my heart goes out to the family. I also have voiced my concerns regarding the investigation in the Armstrong tunnel and I have concerns about this investigation that is coming up.

But the point that I would like to

leave I just heard about this rally this morning when Councilman Ricciardi asked me if I knew about it and my response was no I didn't know about it and he gave me a brief synopsis of what was to take place.

But I can tell you that in my tenure on Council as the Public Safety Chair, one of the things that I have tried to do is champion bringing people from the law enforcement community and people from the community together to try get along and to understand where each other was coming from. I think last year we had a great, great effort with the police and communities together at the picnic at Point State Park and the work of police officers who were tired of being scrutinized and tired of wearing the stain of the past. What is it three years when we had the debate about the Consent Decree and the debate about the Civilian Review Board and the election campaign where a lot of negativity was directed at the police force in the City of Pittsburgh. The response that I have gotten from a lot of these officers has been, look I do my job and I am a professional. I am not out to violate anyone's civil rights. I am not out to be discriminatory against anyone. For whatever reason a few people that were allowed on the police force and allowed to be in position of power who abused their power now mark them with the same stain.

I think one of the things that concerns me and I can understand maybe it was bad timing, maybe it was not thought out, but I can understand the frustration of the individual police officers. We hear a lot of talk about civil rights and due process, but do we go as far as to deny that of our own police officers? I think a lot of times the individual police officers feel

that way. That their rights shouldn't mean anything but the rights of other people are something that they have to go above and beyond to protect. I think most police officers do go out of their way to go above and beyond to protect other people's rights. But at the same time there has been a great media speculation and a frenzy which serves to leave them with a feeling that they don't have any civil rights and they're not entitled to the same due process that everyone should be entitled to under the constitution.

I think that that is a very bad atmosphere for so many to have to work in law enforcement. The only time a police officer is called is when a situation is so out of hand that average rational people can't intercede and make it a bearable, livable situation. When you are called out and you have a feeling like no matter what you do you are going to be second guessed and judged and criticized openly in the media, it is a lot of pressure to put an individual under.

I think some of the concerns that I have had listening to this debate unfold and listening to people talk about this is we have gone back and have heard all of these things about Officer Cooperstein, which I might have met him once or twice and said hello. But I don't have any personal friendship or any relationship with this man. I think that to have the whole story portrayed about all the negativity and all the things that he may or may not have done in his past be presented day in and day out in the media and have all the allegations and all of these conspiracy theories thrown out in the media and it be accepted as fact is bothersome. Because this man is entitled to the ability to go into a inquest and have

a belief in our judicial system that if he was right he should be found not guilty and absolved of any of this negativity that was cast upon his name. But if he was wrong he needs to be held accountable and he needs to be punished for whatever violation that he is involved with.

I think that is the case with every police officer that is accused or put on the hot seat in the media. I think that you know we go out of our way to expose them and make them feel like they are criminals when what their oath of office is to uphold and protect people and uphold the law. I think that is the frustration that the FOP and the individual officers who have planned this rally. I will bet and I believe that you know it was not an appropriate time or place to hold such a rally. But I think the frustration that has motivated those officers to come forward is the idea that they are entitled to the same rights as everyone else.

When we constantly hear slanderous remarks or bits and pieces of what happened then the general public walks around believing that if they read it in the paper it must be true. That is not always the case. I think everybody that is familiar with our legal system knows that at first you might have a lot of evidence that would appear to place somebody in a position of guilt. But when you hear the whole story and you understand all the interactions of all the different facts that there might be some justifiability to someone's actions.

When we have a media and we have people in positions who have a pulpit to that media going out and making blanket responses about police officers who they put their life on the line

everyday. I don't have to wear a bulletproof vest to perform my basic job functions, which most people don't have to do. To stain them the stains of a few makes their job tougher to do, makes their job harder to deal with and puts more emotional and trust on their life and their family. To have a situation where we throw kerosene on the fire is not good.

I think government and the media need to be held accountable for that situation. I think the actions that have taken place and the call for this rally is the fact that for the past two or three years our police officers have been there has been an organized attack to present our police officers blanketly, that every police officer is a bad person, every police officer is a racist, every police officer is out to do harm to people, and I don't think that is the case.

I understand that when we talk we don't make specific reference, we don't say things that necessarily specifically say that. But I think the feeling that everyone is left with day in and day out is that there is something wrong here. If a police officer doesn't have the authority that his badge and his oath of office or her oath of office presents them with, then what do we have? We don't have the ability to enforce the laws that keep our society going. I think that you know that frustration is what has motivated these police officers to call for this rally.

I think that part of me thinks that was inappropriate but part of me believes that these officers are entitled to the same civil rights as everyone else. These officers are entitled to stand up and voice their feeling on an issue especially when everyone else is pointing the blame and

already assuming guilt. That is the situation that we are in right now. I think that I am going to continue to work to try to bring people together, to understand and to build bridges, but the tension that we have in the community today is not healthy and it is not productive in pursuing that path.

The Chair:

Could I make one quick response? I don't know I want to give you credit for bringing us together. You started the rally with the police last summer to bring police and community and kids together. I commend you for doing that. It was a huge success. So, I didn't want to interfere with what you have done with this. I don't know that it is certainly two different kinds of rallies and I think the timing is really the thing in question.

Mr. Diven:

Let me jump in here on that point. There were police officers that started out as a few conversations with police officers who said they were tired of going into a restaurant and having kids quiver because they were wearing a uniform. People and little kids felt like they couldn't approach their police officers. They said when I was a kid we were told by our parents and people in the community that a police officer was somebody that you would run to and somebody that you could feel protected and safe by.

These police officers in their own time off duty volunteered and put tremendous amount of work into organizing it and putting together and financing a chance to bring kids together. Give them a good afternoon and interact

with them and show them there is more to a police officer than just a gun and a badge and a uniform.

You know we had police officers who are involved with musical groups, we had police officers who are involved in artwork, we had police officers who volunteer their time coaching and being involved in trying to set positive role models for the youth. You know where that story ended up, it didn't end up in the Post Gazette, it ended up on Page 14 of the Sunday Tribune. You know and that is the frustration that the FOP and the individual police officers are feeling right now. Is that good news does not sell and that police officers who stand up and try to reach out and work to build bridges and build relationships with the communities is not going to be the message that people go to bed with at night.

The message that people are going to go to bed with from our media is that all police officers are bad. All police officers are out to violate people's civil rights. That is not acceptable. I have worked along with police officers and people in the community to try to make that not a reality but it is tough. It takes a commitment from all parties involved to try to make a difference in that area. That is something that I will be continuing to commit myself to working on that behalf.

Mr. Udin:

First of all, Mr. President, let me just say that I have all the respect in the world for Councilman Diven and the work that he does as Chairman of the Public Safety Committee in trying to bring the community together with the police department. And, even here today trying

to give some voice and understanding to a great deal of frustration that many police officers must feel.

However, I cannot remember one time when any colleague in this body has ever given a criticism of some wayward police officer when they have not preceded that criticism with mountains of praise for the police department and the difficult job that they have and the important work that they do in standing on the wall to keep us and our families safe. Every single time we speak of the police department we precede our words with that kind of support. We also precede our criticism, Councilman Diven, with clarification that we are not painting the police department with a broad brush and that we are talking about a few bad apples in the barrel.

Every single time it has come up we have clarified that. Yet, some people still take the critical part of the presentation as though it was a negative painting of the broad brush with the department. I think it is important that the police department has to decide how they are going to deal with their bad apples in their department. That's really where it lies, Councilman Diven. Perhaps you can with your insight and sensitivity help them see that these guys will not be rooted out until they themselves root out the bad guys because they know who they are. They know who they are.

Rather than the good officers standing up for justice and rooting out the bad ones, we have got a situation now where some extreme wing of the department has managed to get a vote for a rally that will be extremely provocative on the steps of the Court House as people are trying to enter for that inquest. So I would

hope that Councilman Diven's words are heard today. That there is a great deal of frustration because these officers have the most dangerous, the most difficult job in this city. We do support them every single day. But we also within that support have to criticize when there are aberrations of professionalism in the police department we must be critical of it.

We must be just as quick with the criticism, Councilman Diven, as we are with the praise. They both go along with it. If we do not call off this rally, if we do not get the leadership to see the sense in calling of this rally, I am really afraid of what will happen on Thursday morning at 9:30. If it's necessary for us to have a motion to have a sense of Council expressing our condemnation of this rally and asking the leadership of the FOP to call it off, I am prepared to make that motion if it's necessary.

Ms. McDonald:

I would also urge that this should be some finality to this. I think there is a consensus body that we are not taking away the rights of people to exercise their rights to free speech. We're saying time is everything. It's real bad timing, exceptionally bad timing. It reflects upon their judgment. Your out on the streets, you have to make split decisions quickly, and again if you can't make a rational decision, a reasonable decision, intelligent decision that this may not be the time to hold a rally which you're privy to do, which is great you should support one another. But the timing is bad if you can't use judgment here, what the heck kind of judgment are you using out on the streets? What are you using on the streets? This is what they can rationale, this is what they

call commonsense.

Again, the timing is the problem amongst this Council body, not the fact that they can or should hold a rally. What the Council body needs to motion or to communicate in letter is please post postpone this rally for a much better, more feasible time. Thursday in the morning is not the time to do it. It is very poor.

MR. UDIN moved to adopt.

MR. COHEN seconded the motion.

Mr. Diven:

I would like to make a quick comment on the motion on the floor. I understand and just to get back to some points that Councilman Udin commented on. I believe in talking with the police officers the overwhelming majority of our police officers want to see bad police officers and want to see people who violate people's civil rights and abuse their power held accountable. One of the reasons why I supported Councilwoman McDonald's amendment to increase the background check was we have a responsibility as well to make sure that we are not hiring people who have a tendency to once they to get into a position of holding power and having that trust placed in them to abuse that. I think after that vote and after talking about it at the Council table last week received a number of calls from police officers who said just that.

They said listen, we don't like police officers who abuse their powers. It makes my job tougher to have if I have to overcome the bad blood or the sense of miss trust that someone else creates. I

would definitely love to see everyone be held accountable but they should be held accountable under the same due process that is afforded to anybody in this country.

That's one of the things that I think Council can have a role in making sure we don't have police officers. But the idea that police officers don't make sure that other police officers are held accountable, I don't want to say on Mr. Udin's part is inaccurate. I just think the general public doesn't view it that police officers are concerned. That they're not working with someone that is abusing their powers. Because I think that is a big concern that has been echoed to me on a number of occasions. That if you hire somebody that is bad and we have to deal with them, and we got to go through our life trying to do our job and also look over the shoulder and make sure somebody else is bad. You know that is something that we need to stop from happening on the way in.

I think we should have the zero tolerance when it comes to somebody who abuses their power. I believe that Council and everybody would support that in the police bureaus. It is just that if somebody abuses their power they should be disciplined and held accountable for it. But the point about making a resolution to condemn the FOP and officers who have the right to voice their opinions albeit bad timing, I don't think we should make a formal statement because --

Mr. Udin:

It was not my intention. I am willing to amend it just to call for the rally to be called off that is really all I wanted to do. Would you support that?

Mr. Diven:

I am sure when I talk to the police, but I would hate to have a formal action. The message that I would take and the thing that I would walk away with is here we had a city that allowed the Klu Klux Klan to come in and rally yet we are not going to give that -- or we're not going to have the --

Mr. Udin:

Don't you see the danger in this rally, Councilman?

Mr. Diven:

I see it and believe me when I talk to the leadership of the FOP and the police officers I would hope they would call it off. But I don't think it is Council's place to come in here and mandate it because if you have to make somebody do the right thing --

Mr. Udin:

I am not trying to mandate it. I am just asking that a letter be sent with a sense of Council requesting that they call it off. That is all.

Mr. Diven:

I am fine with that. I don't think that it should be a situation where you give them the opportunity to do the right thing.

Mr. Udin:

I agree.

Mr. Diven:

If they do call it off, you know

what the first thing that they're going to cover in the Post Gazette or one of the news stations tonight, is well Council leaned on the FOP and got them to back off. It is not going to be a group of police officers who saw the insensitivity of this rally that stood up and said no we don't want to be a part of this and we asked our leadership to reconsider this idea.

I think that opportunity needs to be presented to the FOP. Otherwise it's a situation where they loose face and no matter how you spin it or what we say, people are going to walk away with this saying that Council had a role in forcing them and taking away their ability to make the right decision and forcing it down their throat. I believe that the majority of the police officers would be supportive if given the opportunity to do the right thing.

Ms. McDonald:

I would urge the media if they do in deed, if they have the decency and the dignity to postpone it, not necessarily call it off, I don't care if they have it or not, not that day, not that time in the morning when people are coming in. If they would postpone it or even cancel it which would be even better all together and have a different structure for working with the community and also being able to support one another because they do have a dangerous job.

I don't consider that egg on the face. I don't consider that caving into Council. You know what I consider it, honor. Honor. Isn't that part of their motto? H-O-N-O-R. Honor. That is the honorable thing to do. I think that they would be praised by the media. They would in fact probably be portrayed in a

totally different light than what they are. I think it would be good and if we're getting into egg on the face or strong arming, then you have -- I think a lot of them have the wrong mentality from the very get go. It is called the honorable thing to do.

The Chair:

We have to rap up here. I have a lot to say.

Mr. Diven:

One last comment and I agree with Councilwoman McDonald. But I would like to send a message out to the people in the media both in the news print and the television, your lead story tonight at six o'clock is going to be this. You know this thing is going to pull apart our communities and what I would ask them to do is take the time. If you need recommendations or you need profiles, we have a great deal of police officers who volunteer their time. Who are involved in the community, who care and do things on their own without any compensation, without any pats on the back. You know take the time to make sure that you present the news balanced and start to showcase some of the police officers and some of the people that work in law enforcement in a positive light. I think it is not.

The saying is bad news sells, good news doesn't. That is going to have a tremendous impact on our whole community's ability to heal wounds that run deep. If the media isn't a partner in that, then we are going to be in for a lot more trouble in the future.

The Chair:

I certainly agree with a lot that you said. I commend you for having your rally but I will send a message I don't want to vote for that, Sala, I would like to not have to vote for it because I don't want them to use that as an excuse. You are not going to hear anything good about the cops today. Okay, for a change?

All of us have supported the cops, 99% of the time we talk pro-cop here. This is a time if these cops are honorable they should not show up at this rally. Because of the timing and I don't want to dictate to them. I want to see if the 95% are good as we all know they are, they come to my house, I went to school with them, I have friends, they shouldn't be showing up at this rally. Right or wrong because of the timing alone.

This is certainly a very severe case that is coming out. I am glad only one news station stayed and that is the one that reported it last week. There is a lot more to this than met the eye a week ago. Believe me, someone who is born and raised in Pittsburgh I know I get calls from everybody, every walk of life. I know when it is a good/bad cop thing. There is a lot to be involved here.

Mr. Ferlo left, but if he thinks this rally will intimidate DA Zappala or Cyril Wecht their messing with the wrong two guys. That should be a clear message whoever wants to start this rally, they're not going to intimidate them. They are not going to intimidate me or you who I think are very good supporters of the police.

Mr. Udin:

Let me just withdraw the motion in lieu of Councilman Diven's efforts and the

Council President O'Connor's efforts to make clear Council's sense and appeal to the leadership of the FOP.

Mr. Cohen:

I will withdrawal my second also.

The Chair:

I will not only do that I will speak to them and talk to the Mayor today and any other officers I know and you know that this is not the right time.

This is certainly a case that I was on an interview talk show, everybody is innocent until proven guilty. We have a coroner's investigation, we have a DA's investigation going on, I don't want to say the wrong thing but this case certainly has a lot of problems to it that is coming out. I think we ought to hold judgment and let the due process do itself. I have a lot of confidence in the DA and the coroner. I think we have the top two in the country maybe, they will uncover this.

I think it is on the right track and I will try to end this on one note. I know sometimes we get divided whether you are for or against the review board or for or against police, and I think this Council I want to commend all of you for taking the same stand. This is not a pro-police or anti-police or whatever it is. This is about a case that looks bad, smells bad, and probably is bad, but we will leave that up to the judgment.

I saw Mrs. Grimmit on a TV interview and she said as a mother of any and because you see some of these interviews when things happen you question. This mother said I don't want any money, I don't want to sue, all I want

is justice for my son to clear his name. I am sure the other person feels the same way. We owe it to this person to make it clear and the police officers should take -- I fell for this mother's loss and we hope it works out for the best that the right clear message, that the truth comes out. Whether it be good or bad. That is all she wants. That is all any mother wants. We owe it to her. That is all any police officer wants.

So let's let it go to the courts. I thank all of you for your support of not supporting this rally. I think the timing is terrible and the officers who voted for it I think they should look in the mirror and say -- they are not the 95% that we have all been fighting for. Every member of Council fights for those 95%. If they are going to let the other 5% do it, then let them go. Don't the other 95%, let the other 95% show up at your rally in the summer. In fact you just started working on, they raise money to bring us together. This is certainly not the time or place to do it.

With that, I would like to have a motion to approve the minutes.

MR. UDIN moved to approve the minutes.

MR. DIVEN seconded the motion.

Which motion prevailed.

MR. DIVEN moved to adjourn the meeting.

MR. UDIN seconded the motion.

And on the motion made by Councilman Diven, the meeting adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXIII

February 2, 1999

No. 5

Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCO Deputy City Clerk

Pittsburgh, PA
Tuesday, February 2, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

Will you all please rise for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

We are honored today to have two special guests with us, Amanda Mack and Malik Fielding, who are in the fifth grade at Weil Technology Institute and they've become selected because of their achievements both academically and socially. The staff of Weil Technology are

very proud of their accomplishments. They are accompanied by their teacher Ms. Brown.

Amanda Mack and Malik Fielding:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you very much. We have a gift for you from Council. They are from Councilman Udin's District and I know he's in the building. I hope he gets here soon so we can take a picture with him too.

PRESENTATIONS

Mr. Hertzberg:

Paul Spadafora and whoever wants to come up with Paul, please step forward. Professional boxing is a little bit like running for office in the way that your ranking and whether you can get to the big one are somewhat dependent on the amount of hype and publicity you can get.

We have in Pittsburgh a very high rank lightweight fighter named Paul Spadafora. I think we all need to do our part on City Council to let everyone in the region know about him, let everyone in the country know about him. Soon he is going to be fighting for the big one, I think for

the championship. Let me read this resolution and it is sponsored by all members of City Council.

MR. HERTZBERG AND ALL MEMBERS OF CITY COUNCIL PRESENT:

No. 1183 WHEREAS, Paul Spadafora, born and raised in the City of Pittsburgh, in the neighborhoods of North Side and Sheraden is being called "The New Pittsburgh Kid"; and

WHEREAS, Paul started boxing at the age of 13, due to a rich family tradition of boxing including his grandfather, Geno Paulocrittie, a professional boxer, who boxed in the 1930's and 1940's; his father, Sylvio Spadafora, an amateur boxer, boxed in the 1960's; and his older brother Harry who was the State Golden Gloves Champion in 1995, and held a record of 89 wins and 11 losses as an amateur boxer; and

WHEREAS, Paul's training as an amateur boxer included ten years under the tutelage of Charles "P. K." Pecora, a famous boxing trainer in the Western Pennsylvania area who gave him the name "The New Pittsburgh Kid," and Paul was a State Golden Gloves Champion in 1993 and 1994, and holds a record of 75 wins and 5 losses in his amateur boxing career in the lightweight division; and

WHEREAS, since 1996, when Paul entered the world of Professional Boxing, with the help of his present trainer Tom Yankello, Paul has earned a very impressive record of 25 wins and 0 losses with 12 knockouts; and

WHEREAS, Paul's strengths in the boxing ring include exceptional hand and leg speed, excellent ring mastership and superb conditioning; and

WHEREAS, with his nationally televised victory by unanimous decision over Rocky Martinez on January 22, Paul Spadafora moved up near the top rankings of lightweight professional boxers, and Paul is hopeful that his next fight will be for the WBC lightweight Championship;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh wish to Congratulate Paul Spadafora for bringing National recognition to our beloved City as "The New Pittsburgh Kid"; and

FURTHER, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates Paul Spadafora on his outstanding record, hard work and dedication, and wishes him continued success in future events and is proud to call him THE NEW PITTSBURGH KID.

MR. FERLO moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Spadafora:

I just want to say thanks for letting me be here to achieve this award. I want everyone in Pittsburgh to keep watching me fight. I promise I am going to bring home a world title, you know what I mean.

Mr. Ferlo:

I want to say one thing, I looked in

the Post Gazette the next day. I always pick on the Post Gazette, so I don't think I am in the day maybe they have a photographer here and the Tribune Review. But I was very upset that first of all we have the champ locally that has won some other important fights also in addition to this great bout that he fought just a few weeks ago.

The next day in the Post Gazette there was no mention of it whatsoever. I believe the Tribune did have some small article on Sunday. I don't understand. I don't frequently read enough of the sports pages but I would think with a hometown great boxer and hero like we have here, I don't understand why they didn't give it the proper place and promotion. Maybe I am missing something. But it seems as though everyone is preoccupied with the big bout when it really is turned into be much more of a circus as opposed to this bout which to me is much more of a sport in the traditional sense of boxing.

So I just want to go on record saying that if we can communicate to the local media and give this young man his just do, he is a great champ, congratulations.

The Chair:

I understand he may be a distant cousin of yours.

Mr. Ferlo:

He is a twelfth cousin actually.

The Chair:

Jim's mother's maiden name is the same as yours.

Mr. Ferlo:

So from the same province.

The Chair:

I don't know if you need any -- if I had a little time I guess I could spar with you a little bit, but I don't think I could do it today, you know. I will get you next time. Maybe Sala could do it.

I do want to commend you also the boxing is alive and well in Pittsburgh. It is kind of a grassroots effort and there are great fighters like you and you are certainly rising to the top. I knew Billy Kahn, he was a great champion for Pittsburgh and I think you can be the next Billy Kahn, the next Pittsburgh Kid. We are honored and proud to you have here. Hopefully when you win the championship, we will bring you down and make it your day and make it a much bigger event.

Mr. Spadafora:

Thank you.

The Chair:

Now move to presentation of papers.

MR. COHEN PRESENTED:

No. 1184 Resolution providing for an agreement or agreements and/or a cooperation agreement or cooperation agreements and/or lease or leases authorizing the conveyance of lands and buildings, more commonly known as the River Rescue Facility and a tract of land located adjacent to said facility by and

between the City of Pittsburgh and the Stadium Authority of the City of Pittsburgh (the Stadium Authority) at a cost of One Dollar (\$1.00). And also providing for an agreement or agreements of lease for approximately two thousand (2000) square feet of space located within PNC Park, for use of the River Rescue Unit for a term of approximately Twenty Nine (29) years, six (6) months at a cost of One Dollar (\$1.00) per year.

Which was read and referred to the Committee on Lands, Buildings & Procurement.

MR. FERLO PRESENTED:

No. 1185 Resolution providing for an Agreement with Peterson Consulting LLC to provide expert consulting services in the defense of a construction law suit against the City of Pittsburgh; and providing for the payment of the costs thereof, not to exceed \$50,000.00.

Which was read and referred to the Committee on Engineering and Construction.

No. 1186 An Ordinance amending the Pittsburgh Code, Title 2, Fiscal, Article VII, Business Related Taxes, Chapter 256, Home Rule Realty Transfer Tax, Section 256.02, Levy and Rate, by increasing the amount of tax imposed from .5% to .6%. --
-(SPONSORED BY MR. FERLO)

No. 1187 Resolution authorizing and directing the City Controller to create the CITY SERVICES TRUST FUND for the purpose of financing neighborhood infrastructure maintenance and enhancement services for the benefit of the

residents of the City. --**(SPONSORED BY MR. FERLO)**

Which were read and referred to the Committee on Finance and Budget.

No. 1188 Resolution providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts, for the Renovation of Recreation Centers and Senior Citizen Centers; providing for the purchase of equipment and materials for said projects; at a cost not to exceed \$594,250.00.

No. 1189 Resolution Providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts, and for the purchase of materials, supplies and equipment and/or services in connection with the Renovations and Maintenance of Various Public Buildings; at a cost not to exceed \$1,295,000.00.

No. 1190 Resolution providing for a Contract or Contracts, or use of existing Contracts, for Construction of Handicapped Ramps in Various Communities throughout the City of Pittsburgh; and providing for the payment of the costs thereof, not to exceed \$833,000.00.

No. 1191 Resolution Agreement or Agreements, or use of existing Agreements and for the purchase of materials, equipment and supplies in connection with the Renovation of Various Play Areas; and providing for the payment of the costs thereof, not to exceed \$840,000.00.

Which were read and referred to the Committee on Engineering and Construction.

MR. FERLO moved to suspend Rule 8 on all bills by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. COHEN seconded the motion.

Which motion prevailed.

MR. HERTZBERG PRESENTED:

No. 1192 Resolution providing for an Agreement or Agreements, or the use of existing Agreements for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh effective January 1, 1999 and providing for the payment of the cost thereof, not to exceed \$275,000.00.

No. 1193 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the repairs, maintenance, improvements and emergencies at various parks and park facilities in CD areas throughout the City of Pittsburgh, and providing for the payment of the cost thereof, not to exceed \$430,000.00.

No. 1194 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the repairs, maintenance, improvements and emergencies at various parks and park facilities throughout the City of Pittsburgh, and providing for the payment of the cost thereof, not to exceed \$200,000.00.

No. 1195 Resolution providing for a Contract or Contracts, or the use of existing Contracts for street resurfacing programs to include but not limited to ultra thin hot mix asphalt, hot mix asphalt, crack sealing, micro surfacing, sawing and sealing, nova chip, flexible pavement, asphalt milling, truck rental, brick and blockstone repairs, handicap ramps, concrete slab replacement and parks related asphalt work at various locations throughout the City of Pittsburgh, and providing for the payment of the cost thereof, not to exceed \$2,815,000.00.

No. 1196 Resolution providing for a Contract or Contracts, or the use of existing Contracts for street resurfacing programs to include but not limited to ultra thin hot mix asphalt, hot mix asphalt, crack sealing, micro surfacing, sawing and sealing, nova chip, flexible pavement, asphalt milling, truck rental, brick and blockstone repairs, handicap ramps, concrete slab replacement and parks related asphalt work in CD areas throughout the City of Pittsburgh and providing for the payment of the cost thereof, not to exceed \$2,161,603.00.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. FERLO seconded the motion.

Which motion prevailed.

Also,

No. 1197 Resolution Establishing a Newspaper Vending Machine Task Force

and Directing the Departments of Public Works and City Planning to prepare an Objective Report on Newspaper Vending Machines. **---(SPONSORED BY MR. HERTZBERG)**

No. 1198 Resolution providing for a Contract or Contracts, or the use of existing Contracts for flexible beam guiderails at various locations throughout the City of Pittsburgh, and providing for the payment thereof, not to exceed \$63,000.00.

No. 1199 Resolution providing for a Contract or Contracts, or use of existing Contracts and/or an Agreement or Agreements, or use of existing Agreements and for the purchase of materials, equipment and supplies in connection with the Wall, Step and Fence Program at various areas throughout the City, and providing for the payment of the costs thereof, not to exceed \$700,000.00.

No. 1200 Resolution Vacating of Alcor (E. General Robinson to River Ave.); Burdock Way (E. General to River Ave.); Cabra Way (Alcor St. to Burdock Way); River Ave. (Federal St. to Westerly Terminus) in the 22nd Ward, 6th Council District of the City of Pittsburgh.

Which were read and referred to the Committee on Public Works, Water and Environmental Services.

No. 1201 Resolution Amending Resolution No. 617 of 1996 as amended by Resolution No. 826, effective November 1, 1996, and by Resolution No. 1001 of 1997, entitled "Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance,

purchase of equipment; and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,155,600.00, chargeable to and payable from the 1996 Community Development Block Grant Program" so as to reprogram funds in City Council. **---(SPONSORED BY MR. HERTZBERG)**

No. 1202 Resolution Amending Resolution No. 624 as amended by Resolution No. 1000 of 1996 and by Resolution No. 250 effective May 17, 1997, entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1996 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories", so as to reprogram funds in City Council. **---(SPONSORED BY MR. HERTZBERG)**

Which were read and referred to the Committee on Housing, Economic Development & Promotion.

MS. MCDONALD PRESENTED:

No. 1203 Resolution Approving Execution of a Contract For Disposition of Land By and Between the Urban Redevelopment Authority of Pittsburgh and 800 Waterfront Associates for the sale of Parcel 5 (Block 48P Lot 215) in the Twenty Fourth Ward of the City of

Pittsburgh in Redevelopment Area No. 45, 800 Waterfront Drive, Council District No. 1 (office building construction).

No. 1204 Resolution Approving Execution of a Contract For Disposition of Land By and Between the Urban Redevelopment Authority of Pittsburgh and Allegheny Center Associates, for the sale of Parcel 3 (Block 8G Lots 206 and 207) in the Twenty Second Ward of the City of Pittsburgh in Redevelopment Area No. 21, Council District No. 1, 334 Federal Street (parking lot).

No. 1205 Resolution Approving Execution of a Contract For Disposition of Land By and Between the Urban Redevelopment Authority of Pittsburgh and Rycon Construction, Inc. for the sale of Part of Block 25N Lot 305 in the Second Ward of the City of Pittsburgh in Redevelopment Area No. 47, Liberty Avenue between Twenty Fifth and Twenty Sixth Streets, Council District No. 6 (renovation of building for office and warehouse use).

Which were read and referred to the Committee on Housing, Economic Development & Promotion

MR. ONORATO PRESENTED:

No. 1206 An Ordinance Amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 7 by changing from "C6-C" Downtown Riverfront District Area C to "C6-B" Downtown Riverfront District Area B all that certain property bounded by Federal Street; the Allegheny River; the "C6-B" Zoning District boundary located west of Federal Street; the "R5" Zoning District boundary

line located south of West Commons and South Commons, 22nd Ward, Council District No. 6.

No. 1207 An Ordinance Amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, Article IV by controlling the development of public sports facilities for major league franchises and by revising the site development standards for urban open space and structure height.

Which were read and referred to the Committee on Planning, Zoning & Land Use.

MR. ONORATO moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

The Oakland Business Improvement District is being presented by myself, Mr. Udin and Mr. Cohen. Thank you.

MR. RICCIARDI PRESENTED:

No. 1208 Resolution providing for the creation of an Oakland Business Improvement District for the area shown on Exhibit A at the behest of the Oakland BID Steering Committee, a coalition of property owners, business leaders, retailers, and local government and institutional representatives. —

**(SPONSORED BY MR. RICCIARDI,
MR. UDIN & MR. COHEN).**

Which was read and referred to the Committee on Planning, Zoning & Land Use.

No. 1209 Resolution Authorizing the Director of the Department of Parks and Recreation to enter into agreements in individual amounts of Ten Thousand Dollars (\$10,000.00) or less with various performers, instructors, artists and persons with specialized skills in connection with the Department's various recreational and instructional programs.

Which was read and referred to the Committee on Parks, Recreation & Youth Policy.

MR. UDIN PRESENTED:

No. 1210 Resolution The terms of and authorizing the execution and delivery of a Cooperation and Support Agreement among the Public Auditorium Authority of Pittsburgh and Allegheny County, the City of Pittsburgh, the County of Allegheny, the Stadium Authority of the City of Pittsburgh and the Allegheny Regional Asset District Relating to allocation of Certain Allegheny Regional Asset District Revenues to the Stadium Authority and the Auditorium Authority in connection with financing the construction of two new professional sports facilities, renovation and expansion of the David L. Lawrence Convention Center and related site and infrastructure work, including the payment of debt service on bonds to be issued by the Auditorium Authority for the purpose of partially funding said project; providing for the proper officers of the City to take all other required, necessary or desirable

related action in connection with said Cooperation Agreement; providing for the severability of provisions of this resolution; providing for the effectiveness of this Resolution; and providing for repeal of all inconsistent Resolutions or parts of Resolutions.

No. 1211 Resolution authorizing the City of Pittsburgh to issue a deed, in form approved by the City Solicitor, for property in the 16th Ward of the City of Pittsburgh, known as 2700-2702 Spring Way, designated as Block 13 S, Lot 261 to Carl R. Calio and Kimberly Calio, his wife, for the sum of \$500.00.

No. 1212 Resolution providing for the acceptance by the City of Pittsburgh from the Western Pennsylvania Conservancy of certain property on Mooney Road, Block 134-L Lot 288, in the 31st Ward of the City of Pittsburgh, for the extension of the 31st Ward Greenway.

No. 1213 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

No. 1214 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were read and referred to the Committee on Finance and Budget.

The Chair:

Thank you. We will now move to

unfinished business. Any unfinished business to come in front of Council? Hearing none, we will move to Committee Chair Reports, District Eight, Mr. Cohen.

CHAIR REPORTS

Mr. Cohen:

Thank you, Mr. President. I am happy to present a committee report on the Department of General Service and telecommunications. Let me just cover the major issues, if I could, and that is what's happening with this building, the City County Building, with swimming pools, the fleet, and the cable issue. I want to thank Guy Costa the Director of General Services for providing me with this information.

On this building, a number of things are continuing to happen. I think we have seen a lot of positive results of the work on the renovation and the just general upkeep of this building. The painting of the basement is going on right now and it should be completed by mid February. The cleaning of the marble walls and plaques and brass fixtures in the lobby is going to be -- including by the way the bust of William Pitt will begin in early March. The interiors of the six passenger elevators on the Grant Street side are going to begin late this month. We have discussed this in the past, the elevators are really in poor condition and this is the interior not the over all reconstruction of the elevators which hopefully will happen later this year.

Specifications are being established for the modernization of the passenger elevators. The department is purchasing permanent tables and chairs for

the portico outside the building on the Grant Street side so you will certainly see a big improvement out there. We had temporary chairs and tables but the permanent ones are going to be in place by April 1st.

Bids have been received and are being reviewed for the freight elevator and that work is going to begin in April. The department is remodeling the women's room on the fifth floor with in-house. So in-house workforce and that's going to begin in April as well.

The department says it is continuing meetings with the county regarding this building. That some progress is being made especially with respect to the elevators. I think our discussion here with Mr. Donatelli of the county had some effect in moving this forward. So hopefully they will come up with an agreement soon.

As with respect to the pools, it is nice to think about pools in February, it is not too far away. In late February the program of painting will begin. Painting 11 pools this year as well as other up grades will be made. The completion date for all of that will be in late May.

The medic rescue station on the Boulevard of the Allies was cleaned and painted, that is also the old Fire Station Number One. They relocated the medic and rescue units from the River Rescue on the North Side to this facility.

With respect to the fleet, 21 marked and six unmarked police cars are being delivered this week. We're continuing a program that we established two years ago and that is to replace the

entire police fleet every three years so that we have cars that are in good shape and don't have the kind of problems that we had several years ago. If you recall we had had some police vehicles that had over 100,000 miles and were in pretty poor condition. I want to thank the department for embracing that program and for having police vehicles come in, one third per year. Bids are also out for 26 other police vehicles for the detective patrol wagon commander and boot operations.

With respect to the fire truck replacement program, within the next couple of weeks we will solicit bids for a new fire pumper. This truck will replace one of our 1978 pumpers and we hope to purchase at least one new pumper per year. We're also continuing the program of refurbishing 13 1986 fire pumpers and currently soliciting bids to refurbish eight aerial trucks, both of these programs will extend the frontline use of these trucks by six years.

Just continuing on the fleet, with respect to refuse trucks, we are refurbishing 17 refuse trucks. This program will extend the frontline use of these trucks by six years. Bids are due out this week for the purchase of ten new refuse packers. This is the year two of a five-year plan to refurbish and/or replace the complete refuse fleet at a cost of \$7 million.

There is also an ongoing federal mandated project, an unfunded mandate I may add for underground fuel storage tanks. We should have all the fueling stations in compliance by late April. The removal of the old tanks will begin in mid summer and must be completed by December 22nd of this year.

That really covers the fleet aspect and the final leg of this three-legged stool of facilities, fleet and cable is cable. We had a long meeting on Thursday with the consultant for the telecommunications working group. I think it was a very productive meeting. Representatives from every department of the City of Pittsburgh were there, including me from City Council. Franchise renewal as you know is moving along. We have had two meetings with TCL. The negotiating team as we put together we're currently in the process of hiring an engineer. We put out an RFP really at Councilman Ferlo's suggestion, which was a correct suggestion and received three responses to that RFP for a technical engineering person. Two of them have been interviewed and we are going to be interviewing the third one shortly.

Also a community meeting that I would like to inform Council members about and you will get this in a memo form today. But Councilman Ferlo and I met with a group of community development corporations from the East End a couple of weeks ago regarding the community access aspect of franchise renewal. That is to make sure that the community is an integral part of any franchise renewal agreement. That includes public access channels, it includes community access network sites. It is really an exciting thing and the meeting about this will take place Wednesday, February 10th, at two o'clock for all of the community development corporations and neighborhood groups who are interested in this. It will take place in our conference room, conference room number one here. Again that is Wednesday at two o'clock.

Council President O'Connor, you're working on a program entitled Council Corner so I won't speak about that. But that certainly is something that is important that is going on and I will leave it to you to talk about that.

The final issue that I have is the issue of the transfer of the TCI, the change in ownership and control of TCI to AT&T. We completed the process of the transfer, added five conditions to that transfer but at the same time wanted to express our view about the open access issue. That is whether or not AT&T will allow other Internet providers to have access to their lines.

So I have prepared this resolution Mr. President, everyone should have it in front of them. Let me just read the now therefore clause, everyone has the whereas clauses in front of them. It says now therefore be it resolved that the Council of the City of Pittsburgh expresses its support for open access including the broadest possible deployment and implementation of high speed Internet access and asks for providers in the City of Pittsburgh. The support includes but is not limited to AT&T and TCI provision of non-discriminatory access to its cable modem platforms in the belief that a wide choice of high speed Internet will be most beneficial to consumers.

What this does is I would like to ask for Council's support of this to send to the Federal Communications Commission, which really is the agency in charge of this, to promote open access as a consumer issue. That it really will provide to the consumers with a wider choice of Internet providers those who are served by the Internet. It will increase competition and

in the end hopefully lower rates. So I would like to make a motion to approve this resolution.

MR. DIVEN seconded the motion.

Which motion prevailed. (**Mr. Ricciardi abstained**)

Mr. Cohen:

This motion is sponsored by myself, Councilman Ferlo and Councilman Diven.

The Chair:

Thank you for the report. Any questions on the report? Hearing none --

Mr. Udin:

I just want to first of all commend Councilman Cohen on a very thorough report. But resurrect a complaint that I have been making concerning the elevators. I came into the building this morning at about seven o'clock and noticed the elevator I was on, the same problem that existed before in terms of debris cigarette butts, etceteras in the elevator doorway. Those little grooves that go along the doorway were again uncleaned and I checked the other elevators and the same thing existed with the other elevators.

I just wonder aside from what they must think of the people who work in the building and the taxpayers who visit the building, why it is that when Council directs that something will be done by employees, that some employees feel free to just ignore it and hope that Council forgets about it and just doesn't pay

attention? I don't understand. I have seen it happen in other occasions when we have taken a decision at the Council table, there are certain either directors or assistant directors who kind of believe that if we just ignore this, Council will probably go on to another item or issue and forget about it. We really don't have to pay attention to what they say.

I think that's highly disrespectful to this Council and highly disrespectful to the taxpayers. Council directs something to be done, that department head should be able to get it done or we should have that department head before Council. The Mayor should have that department head before him. The Mayor should be saying to all department heads if you receive a directive from Council, you will carry it out or you will report to me. I think that we need to take our decisions seriously and not allow this kind of ignoring of Council to continue.

More specifically, I would like understand the reasons why we have been unable to get whoever's job it is to clean the elevators, to be able to get a brush or whatever it takes to get the debris from within those grooves and provide clean elevators. It's just a method of the way you clean a building and doing the job thoroughly. The elevators are the first thing that a lot of people see when they come into the building. You never get a second chance to make a first impression. I would like to ask the Councilman if he would look into the matter and see if you can enlighten me as to why it continues to happen when we have been complaining about it for months and months and months?

Mr. Ferlo:

We have a bill obviously up today Councilman Cohen worked on behalf of all of our colleagues, which I think the appropriate is \$190 thousand for elevator repairs. We're moving on this, I would only ask in light of the fact that Councilman Udin has reiterated this concern about eight times, that I can remember rightfully so, that when they redesign the elevators can we take the grooves out and just put a brass plate as you enter the elevator? I mean sometimes I think we need to make changes not only in work habits and make sure work gets done but to the extent that we are modernizing and improving and making more appropriate the physical environment of the elevator itself. We should take the darn grooves out because that is all they are is places for cigarette butts and everything else to accumulate. I know Councilman Cohen is going to deal with this issue on top of the cable contract.

Mr. Cohen:

I will be down there right after the meeting.

This is an issue that Councilman Udin has brought up before. It deserves a response. It deserves a daily response of cleaning those elevators. I am happy to put together to convey this to the director of General Services Guy Costa and I think, I think the answer to the question is unfortunately we don't have the power to hire and fire which probably would get us the work done more quickly. But never the less we do have the power of the purse strings and Councilman Udin's concern will be conveyed and hopefully we will actually get some action.

Mr. Ferlo:

I will reiterate my long standing

request that we try to run the elevators on our side to only our floors two to five and the county side go to six to nine. With the new equipment I hope they we will try that. Basically when you come into this building you are going either from the sixth floor up or you are usually going to the city side two to five. So if we can bifurcate the elevators, I believe you will find most of the litter on the county side going six and up. Because people are taking items in there because they have to put up with court hearings in Family Division and everywhere else. They have to sit up there for five, six and seven hours. I have seen baby diapers in the elevators, I have seen spilled coffee, I have seen everything imaginable. I would ask that we also make that part of the request in addition to Councilman Udin's groove story.

Mr. Cohen:

Councilman Ferlo will be happy to know that his suggestion is actually being tried and is actually on this sheet and I missed it. So let me just take one second to tell you that the Grant Street elevators will be programmed so that the city elevators go from floors one to five only, the county elevators six to nine. It will be a 30-day test period, which will begin in early March and hopefully we will get the effects that Councilman Ferlo is talking about.

Mr. Hertzberg:

Does it mention any signage? We need to inform the public.

Mr. Cohen:

I would hope that there will be

signs. The first problem is it is very difficult to get on an elevator because they don't work, but when they do work I hope that there will be signs that will direct people.

Mr. Ferlo:

I will be standing there for the month and direct traffic. I want this to work.

The Chair:

You brought that up over a year ago. It makes so much sense but the energy savings and timesavings on everyone's part certainly makes sense. I am glad to see it is in there for at least a 30-day test.

Also following up on Mr. Udin, I certainly agree with you. What it is going to take, we know the answer is just elbow grease and some one rolling up their sleeves and doing the job. If you remember the excuse we have gotten for the last year and half probably is the city, county was a mutual management thing and now I understand it is if it is not, it should be in place by now that the city will manage the cleaning. So that one person is in charge. Hopefully Mr. Costa can finalize this problem. It's a shame to have that and I certainly agree with you. After all the money and expense we spent for the front of the building, it's really a magnificent building coming in and to find that is unacceptable.

Mr. Ferlo:

Wait until you see the new technology kenos that the Clerk's Office is working on with my office. It is going to

be very impressive.

The Chair:

I know you have just taken over Housing Economic Development but I believe you have a brief report.

Ms. McDonald:

Very brief. Again, I have not had an opportunity to adequately prepare a report since Councilman Ricciardi and myself have just switched, but I am going to read the very cover letter of the 1998 accomplishments and goals for 1999 sponsored by the Board of Directors of the URA. And of course Alan probably, this is probably very redundant for him since he has probably read this.

Our major focus, this is from the URA, in 1998 was in implementing a number of development projects that were in the pipeline or in planning stages. Real Estate acquisition played a minor role during the year. While we continued to move forward several Housing and Economic Development projects we were able to successfully complete and begin the construction of PEIDC sponsored, owned and managed multimillion dollar new high technology buildings, like automated health care at Washington's Landing and the Lawrenceville Shopping Center.

We took tremendous risks in 1996 this is something that you may want to comment on Mr. President, when we negotiated the donation of the 450,000 square feet Lexington Technology Park from Rockwell International. But since that time we have managed to fill a significant portion of the building by

bringing in over 18 smaller companies, a consolidated 911 service, and various divisions of Allegheny County. This phase was completed in 1998.

During 1998 the URA also entered into several contracts with other agencies to support their development efforts. They entered into a new contract with the Housing Authority to demolish Broadhead Manor in the West End. We also organized the offices of the design commission and managed the design process for the expansion of the Convention Center. We were also requested by the Public Auditorium Authority to act as paid consultants in the acquisition process for the expansion of the Convention Center. We were able to complete environmental pre-engineering and acquisition plans. While there had been delays in some projects for reasons beyond our control such as Nine-Mile Run, we had managed to put them back on track.

Overall, 1998 has been an outstanding year for the URA in meeting its development goals set forth at the beginning of the year. In fact we have brought to fruition additional developments such as Mellon Kline Service Center and the PNC First Side Center. Also work continues with Urban Properties of Chicago to consider major development retail/entertainment undertakings.

Now, issues during 1998 and this is brief. The major issues that were faced during the year and will probably continue to be faced in the years ahead include the momentum for development is indeed continuously impressive. The city has tremendous appetite or absorption for

development and growth. In adequate funding for the various projects underway include Nine-Mile Run and LTV. It will slow down the realization of development opportunities. It is even more acute in the case of the downtown plan with urban properties that no funding has been included in the capital budget.

A second bullet is we face serious obstacles with the Nine-Mile Run project and the third bullet is due to the question of whether to have the cinema complex on the LTV site or downtown or both as slowed down retail development at LTV.

Again, as I continue in my endeavors I will have a more thorough report, something more specific that would address individual concerns that had been expressed by Council members at the table. That is all I have. Questions?

The Chair:

While you touched on it, if I may, on the Lexington Rockwell Center, the 911 Center, since Christmas I have been getting calls and I believe Mr. Onorato informed me he had some information. People had been contacting me that the county is ready or was ready to lease that space that we had all voted and followed the administration's lead. It was quite a struggle if you remember to have the 911 Center moved from the Strip District to the Rockwell Center.

I understand it was going to be leased out and the door was closing. So I went and made an unannounced visit last Thursday to the center. Well to my surprise, I was overwhelmed by what I saw there. It certainly is a state of the art facility. It's set up with the latest

computers it's geared for -- it certainly has great parking, security all the things that we questioned. In fact it actually had separate rooms and corridors for the city officials. In fact, they had their name on it, who would be there whenever the merger would take place.

We spent over an hour there. In fact, if you saw they even had a briefing room for media in case of an emergency. It certainly wasn't a PR activity. The media I think at least three or four of the major stations have already paid to have their direct hook up. Where the head of any emergency would walk in, brief the media, for whatever was going on. For example, it was a tornado they certainly say live right on the spot tell the media and everyone would be geared for it that don't go to Mount Washington or stay out for two days, whatever the danger may be.

I certainly don't want to elaborate too much, but if you see what's going on in Washington terrorists activities, there is very heighten awareness of that. So it certainly behooves us to be working with the city and county. Again it's a state of the art institution and it has been rated as the top in the State of Pennsylvania. So they're already geared and I understand we're not ready for the Y2K what is going to happen in the next year with the computers. Our computers that we are using in our 911 system now is still by phone, it's ten years old, it's just a matter of making the change to put our personnel there. It has back up in case of emergency and actually another benefit that we keep the emergency power, third power station where we are now in case God forbid something happened there they would actually have another back up.

So, I am certainly urging the

administration to finalize this and get it resolved. But I don't believe we can wait for that. We can't take anything for granted because this is certainly a benefit for all the residents as I see it.

What I am requesting of you I have set up a tour of the facility for Friday morning at nine o'clock. I believe most of you I checked a lot of calendars and four of us within two miles of the facility so we shouldn't have any problem getting there. I think you have to see it first hand yourself, compared to what we have. And, Mr. Diven who chairs the committee, Ms. McDonald will host our tour, it's in her Council District then following next week Mr. Diven will set a Post Agenda to bring everyone to the table to find out why this isn't happening. I am thankful for all three commissioners and Mr. Cannon have agreed not to do anything for 30 days, no leasing agreements will be made so we have 30 days to resolve this issue.

I think it's urgent, hopefully someone in the administration is still working on it, but they're certainly dragging their feet. I don't want it to become a battle, but it looks like we have to at least bring it to a head because we have only 30 days to resolve this issue. If there are any problems, I think they ought to be brought up and resolved. There may be political agendas that some of us know or don't know. I really don't care about political agendas. I think this is very crucial for the Public Safety of the residents of Pittsburgh and Allegheny County and also just by the way it will save us \$4 million for capital improvements for the old center. So we will have the tour on Friday.

Mr. Ferlo:

Because of my concerns and fears regarding the public safety of the Pittsburgh residents that I did not vote for this so called merger, use the phrase merger, I still think it's a bad idea not withstanding the fact that it is a beautiful facility, ala county tax dollars. We have a great operation that is badly in need of a computer grade system improvement. We collect million of dollars from city residents with a telephone tax and I think we should have been moving already to get the new technology and move full steam ahead.

If you want to talk about a politicization of emergency services, I can't think of anything greater than the politicization that has happened at the county level with these 911 centers. I don't want to be involved with them. If there is any logic to the county, they should have had one 911 center. If you remember they wanted to have 40 plus locations. Now through politics they ended up having I believe seven. I don't want to co-mingle or merge with them. I don't mind renting space if that is appropriate to get a better facility for our employees, and I am certainly in favor of new EOC computer systems or whatever is appropriate, state of the art technology. But I think there are major concerns that still need to be resolved and we have a great system. It's not broke, but it is in need of a technology upgrade and I am very low to get involved with the county operation.

So I still stand by my original vote, and I still have major reservations. I am not sure where things are at and I am pleased that you're facilitating some dialogue on this with the administration.

But I am very concerned. It doesn't mean I don't think we should meet when there is major emergency, obviously we should. We have an emergency management plan that we should implement when there is a situation. But I can continue to have my reservations and continue to stand by them.

The Chair:

I certainly respect your opinion. I think you owe it to yourself and everyone to see the facility and see what is available to us.

Mr. Onorato:

Can we just add to it, the facility is a great facility. It's a building for the city to work with the county and to spread the cost of the operations to a more appropriate base of residents, which would be the county. The one thing regardless of where you stand on the issue here, we should not be making these decisions based on personality fights. Let's do what is right both economically, what is the best business move? What is best for the residents of both the city and the county? And, what is best decision for the taxpayers? You get good services at the best price; I really don't care about whom is mad at who and what the long history is of who did what to whom. Because we're all going to be out of these seats sooner or later, and there will be a new Mayor one day, a new county manager one day and new Council people one day. It's the system that has to keep going on and going on. So the personalities should be removed and let's just do the system that's rights for all of us.

Mr. Ricciardi:

I think the idea of the Post Agenda, Mr. O'Connor, is an excellent idea so we can talk about not just the future but what happened in the past during the discussions at this appropriate table. If my memory serves me right that is we always talked about co-location we never talked about one system. We never talked about giving our responsibility to Allegheny County and we never talked about taking responsibility from Allegheny County for mishaps and phone calls. God forbid a 911 from Harmar Township for example, we never talked about that responsibility because there is a liability to that also.

Sure we can help Allegheny County as much as we can, but we have a great system that was put together I think back towards Mayor Pete Flaherty and it's been working fine in the City of Pittsburgh. I don't think there has been any causes for lawsuits. I don't think there has been any loss of life. I think we are doing very fine. So I am willing to talk about co-location, but if you go back at the record, we never talked about one system. Never, ever, ever.

The Chair:

Thank you. You are 100% right on that.

Mr. Cohen:

I voted in support of having a combined 911 center at that location. I still support that. I appreciate your efforts to try to put it back together. I think it's the right thing for the city and the county in terms of cooperation on a very critical function and that's our 911 function. So I would support putting this back together

and having a Post Agenda to try make that happen.

Mr. Diven:

First of all I would like to thank you for taking the time to make this an issue. I think we have kind of had the time to let everyone's tempers cool off, and let calmer heads prevail. And for whatever reason that hasn't happened. I think your stepping in and bringing the spotlight back on the future of the 911 center is something that is going to be critical to the City of Pittsburgh.

I understand Council and Councilman Ferlo's kind of uneasiness with the potential joint venture with the County and I can see that. But I think we also have to look past and see what the financial ramifications are to the City of Pittsburgh. If we do not do this we are going to be faced with having to completely renew our 911 operations, our telephones and our computers and everything that is associated with that. It could be a cost as high as four million dollars. I think the other thing that is pretty ominous is the fact that our system right now is not Y2K compliant so that means we have to upgrade all of this within the next eight months before the Y2K bug hits.

So we're under a very steep financial concern and we are under a very tight time constraint. If we do not look at the plan that was put into place, the plan that everyone agreed to, the plan that we debated for a number of weeks here on Council, we're going to be in a pretty tough situation come next January 1st. I think it was good of you to try and kick start this and bring the attention on it now

so if we decide hey we don't want to be apart of the County, we have to put up a Plan B in effect and we have to do it pretty quickly. We have to figure out a way to pay for it. I think the good first step is taking the tour, and the next step after that is to start some dialogue with a Post Agenda and invite the members of our emergency operations and the county emergency operations and try and figure out if there is a way where we can bridge the gap and mend some fences. So I am all on board with that and I think we only have a short time to really get our act in gear or else we're going to be faced with a substantial problem.

The Chair:

This little or major rift when I was there, there was a terrorist training session, Federal Government was coming in there to have a joint meeting with the city and county. The city decided not to have it and is taking their end down at the Convention Center. I am told it may cost as much as \$20 thousand. So these little rifts are getting to be expensive and I believe we have to put a stop it.

Mr. Ferlo:

But there is a factual problem and maybe Councilwoman McDonald can address this, I mean all the discussion there was never a reference about merger and that's basically what is out there. It's an assuming and consuming on the part of the county the city's function. That is what the facility is out there. Our vote and all the discussion and debate we had talked about a co-location and some sharing of resources, and that's not what actually is out there.

I am very confused about what the factual information is because I believe -- I can actually recall the debate we had. We held the bill up for a couple of months, we had a public hearing. There were people away, we held it again. There were four or five weeks of discussion and discourse here and I don't remember the phrase or the legal agreement around a merger being used and that basically is what the equipment is that's out there. It is an assuming of the duties and responsibilities of the city.

The Chair:

I don't believe that's true.

Mr. Ferlo:

I wish someone could give us a factual explanation because what I see out there versus what you are saying now is different than the context of what Council agreed to in the first place.

The Chair:

Maybe I am not explaining it right. I believe if you go and see what is there, there are two separate units, everything is separate. But you're buying state of the art equipment and it is no sense having McIntosh and Apple that won't co-exist. I mean all of these things will exist to our benefit. Again, showing if you read and in effect going back to our meeting when we had the emergency, our phone 911 system couldn't hold it, so we had to bump into the county for extra support. These things are going on now anyhow. But I believe what I am asking you to do is keep an open mind. I am not pushing a merger. I am just saying to do what Council voted for but I think it starts by us going out and

seeing what we're buying.

Mr. Ferlo:

Wouldn't it be appropriate to ask the Mayor and the administration after their prudence and all their due diligence that they have engaged in for whatever many months, independent of the particular incident that may have caused some rift, what is the current status? I don't know. I have heard different opinions from different administrative spokes people. What is, can we please in time for the Friday visit or whenever hear a formal response from the administration as to where they are? They have whether I like it or not, the majority voted and they have an authorizing resolution of Council so what is the status? Was there actually -- when we were voting it was like we had to have this yesterday and I presumed it was already a signed agreement. I was actually surprised when there was a little bit of the rift regarding the smell incident.

The Chair:

This center, again, it's why I urge you to go, us to go and see it, was a joint venture to build it together. The agreement was there, it wasn't signed because of the evacuation incident, I imagine there are problems. But the problem, my problem is if we don't resolve it in 30 days, they're going to sublease it to someone else, and all that equipment that we voted to use will be gone.

Mr. Ferlo:

If there is no signed agreement, then I assume it is all bets are off. As a practical matter, this Council by majority voted to amend the resolution to actually

include the legal written language of the tentative agreement at that time. So, I would like to know, what actually did or did not get signed and if something is going to be signed, what is the written word at this point? And is it a merger or is it a co-location? I don't think we know, Mr. President. I don't agree with your characterization that we know. I don't agree with you.

The Chair:

I am just saying the facility what we have agreed upon you are right.

Mr. Ferlo:

I am sure it is a beautiful facility, any time you build a new building, it is going to look beautiful.

The Chair:

All right, the signed document has to come to Council, but that is why I am asking for a Post Agenda to bring all the players here and get a straight answer.

I am not going to back up all the answers why it hasn't happened. I just want an answer why it isn't happening? Is it going to happen? And all the questions you just asked.

Ms. McDonald:

I want to ditto Councilman Onorato's comments because I think that that there is a great bit of truth there that really is cutting. But none the less, needs to be said. When it comes to Public Safety whatever agendas are out they're political, personality, or otherwise need to be put aside.

I commend Councilman O'Connor for sponsoring a tour for the very reasons that you're hearing from Councilman Ferlo. There is a lot of I don't know. We did have a Public Hearing, I believe, or it may have been a Post Agenda that in which we had the cooperation agreement in front of us all the parties were at the table, we discussed it at length. There was still sort of we are not clear as to what this is going to look like. Well sometimes something put on paper can be you still have your doubts you still are kind of confused what it is going to look like until you see it visibly.

This is an opportunity to get all of our questions answered, your talking to the very people who are running that ship, the frontline people, and you are getting to see the actual equipment and how it is being used? Where it's at? This is an excellent opportunity to, I would say, quiet some of our concerns so that when we do have a Post Agenda we're not just looking at a piece of paper and listening of the parties, we have actually seen it. So I think this is a great opportunity and I would urge colleagues that are not near the East End to try to make every effort to get there at 9 o'clock. I will be there.

The one thing I do want to ask to Councilman Diven who will sponsor the Post Agenda is to please alert the administration. I am not in the mood to hash over this whole thing all over again. We have done -- I hate redundancy. We already did it. We talked about it, we're going to, it is like beating a dead horse. I really hate that. Let's ask specific questions to get to the real issues. Why did they change? Specifically, not rhetoric, specifically why is there now a

change when we don't want to co-locate there? Technically why don't we want to co-locate there? Give me some numbers. Give me figures as far as cost. I say that this Post Agenda should really cut to the chase so that we can make an informed decision.

Mr. Hertzberg:

Thank you. We never approved any merger. There is no merger going on here.

The Chair:

Take the word merger out. I don't know where it came from.

Mr. Hertzberg:

There is co-location. All we talked about is we are actually subleasing space that the county has, and is building. We are also working a deal with them on equipment as Mr. Diven stated, a deal that is saving us a ton of money in getting equipment that we have got to have.

I think the other item where there is a cooperation is in teaching the 911 operators for the county where we are already doing that. We will gain a benefit from being teachers to the county people that need to learn how to be 911 operators we'll get credit for that. But I think lost in the whole debate over that 911 facility is what the URA has done at this Rockwell facility.

We or Ms. McDonald, myself the URA whatever that entity is received a donation from Rockwell, which is I still think a Fortune 500 Company, but one that has chosen to take most of its

operations out of Pittsburgh and figured that this facility wasn't useful to them. Took a write off, donated it to the URA, now the URA has developed 100% of that space, gotten tenants, gotten some new businesses so it is a great story if we forget the little battle, unfortunate battle that I hope will end soon. There is a great story to be seen here in what's been done with that facility in Ms. McDonald's District.

The Chair:

I think on that issue, I would ask – that is why I would like to see, because I hadn't been there myself. I ride by it in the evening, things like that. But you go there in the morning you see people going to work, it looks like a small RIDC Park just the things we wanted and I would imagine anyone would want to work at. But if I said it I want to strike it from the record, I did not mean to say merger. Certainly two different facilities so if I said that I apologize.

Mr. Diven:

Yes, sir. The only thing I would like to add for this is I agree with Councilwoman McDonald. I think we suffered for five weeks during last summer trying to hash out all the political and all that stuff. We need to put our cards on the table and either do it or not do it. We need to make a decision on what is best for emergency operations in the City of Pittsburgh. I think having the opportunity to see the facility first hand is going to be a good help to us making that kind of decision that we need to make.

I would just ask that in our tour I would hope that we would have some of the city personnel at the facility, preferably

Chief Rowntree who can talk to us about -- give us some kind of contrast as to what they're working with now? How it is going to improve their efficiency, their accuracy and their ability to do the job? That way we can get an understanding of how far of a difference this new center would be from the old one. I have been to the old one, but I don't know which machines work or which machines how they stack up against the new ones. Having someone that works with that day in and day out would give us another aspect that we need to look at as well.

The Chair:

Good point. So, we will be very clear not only on the tour, I think it's a good suggestion to have Mr. Rowntree be there or a representative from the EMS.

Mr. Ferlo:

Have his boss there, Director Cannon also.

The Chair:

We will request both of them there. I believe Rowntree was one of the people who and Cannon worked together to build this.

Mr. Ferlo:

I want his boss Director Cannon there.

The Chair:

We may need the fighter. Thank you for those reports. We will now move to reports of committee.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1216:

Report of the Committee on Finance and Budget for January 27, 1999, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1138:

Resolution repealing resolutions, approved on various dates, authorizing the sale of properties in various wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

(A) 633 Duff Street, 2 sty. frame house, being sold to Charles &: Crystal Alexander, \$2,500.00, Council District 6. Amount forfeited \$250.00.

(B) 6947 Kedron Avenue, 2 sty. Inselbrick house, being sold to Lamont D. Tomman, \$2,000.00, Council District 9. Amount forfeited \$200.00.

(C) 704 Brushton Avenue, 1 sty. brk. & title bldg. & addn., being sold to Jill A. Smallwood, \$3,000.00, Council District 9. Amount forfeited \$300.00.

(D) 7517 Bennett Street, 3 sty. brk. hse., 1 sty. brk. gar., being sold to The Jaymore Group, Inc., \$2,000.00, Council District 9. Amount forfeited \$200.00.

(E) 7001 Susquehanna Street, 2.5 sty. fra. Hse., being sold to James B. & Joyce Moreland, \$500.00, Council District 9. Amount forfeited \$100.00.

(F) 7224 Susquehanna Street, 2.5 sty. fram hse., being sold to James B & Joyce Moreland, \$1,000.00, Council District 9. Amount forfeited \$100.00.

(G) 718 Tokay Street, Lot 40 x 125, being sold to Daryl L. Banks, \$350.00, Council District 9. Amount forfeited \$100.00.

(H) 7530 Hamilton Avenue, Lot 25 x 150, being sold to Renee R. Goodson, \$600.00. Council District 9. Amount forfeited \$100.00.

(I) 1421 Adams Street, 2-1/2 story brk. hse., 1 car gar., being sold to Mary D. Lewis, \$5,000.00. Council District 6. Amount forfeited \$500.00.

(J) 1505 Allegheny Avenue, 2 sty. brk. hse, being sold to Marion Kelley, \$2,600.00. Council District 6. Amount forfeited \$260.00.

(K) 2108 Mazette Place, 1 sty. fra. Hse., being sold to Earlene A. Paolino, \$5,000.00. Council District 2. Amount forfeited \$500.00.
Which was read.

Also,

Bill No. 1140:

Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(A) 14 Reed Street, 3rd Ward, Block 2-H, Lot 254, being sold to Melvin

E. Harris, Sr., 3 sty., brk. hse. Situated on a lot containing 759 sq. ft., \$1,000.00. Intended Use: Rental Units. Council District 6.

(B) 7133-7135 Bennett Street, 13th Ward, Block 174-J, Lot 320 & 321, being sold to Viola Gillespie, two vacant lots containing a combined area 10,125 sq. ft, \$1,000.00. Intended Use: Build a Church. Council District 9.

(C) 7320 Bennett Street, 13th Ward, Block 174-K, Lot 337, being sold to Ronette D. Pierce, 2.5 sty. brk. hse. Situated on a lot containing an area of 1,913 sq. ft., \$500.00. Intended Use: Personal Residence. Council District 9.

(D) 2604 Arlington Avenue, 16th Ward, Block 13M, Lot 170, being sold to Betty Wasick, vacant lot containing an area of 8,800 sq. ft, \$1,000.00. Intended Use: Additional yard space. Council District 3.

(E) 907 Amherst Street, 20th Ward, Block 19C, Lot 213B, being sold to Nicholas R. & Rachel Tomich, 2 sty. asp. Shgl. Hse. Situated on a lot containing an area of 1,104 sq. ft., \$3,500.00. Intended Use: Rental Unit. Council District 2.

(F) 1321 Adams Street, 21st Ward, Block 22-F, Lot 141, being sold to Frank MacOliver, 2.5 sty. brkn. Hse. Situated on a lot containing an area of 1,440 sq. ft., \$2,500.00. Intended Use: Personal Residence. Council District 6.

(G) 1005 N. Franklin Street, 21st Ward, Block 22L, Lot 182, being sold to Derrick L. Barnette, 3 sty. brk. hse. Situated on a lot containing an area of

1,152 sq. ft., \$3,500.00. Intended Use: Investment. Council District 6.

(H) 3424 Perrysville Avenue, 26th Ward, Block 116-N, Lot 73, being sold to Phillip Strickland, vacant lot containing an area of 8,250 sq. ft., \$800.00. Intended Use: Additional yard space. Council District 1.

Which was read.

Also,

Bill No. 1161:

Resolution providing for an agreement with Dickie, McCamey & Chilcote, P.C. for professional services for the City Controller not to exceed \$80,000.00 chargeable and payable from account 526100, fund 1000, org. 106000, sub 150, budget year 1999.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen

Mr. Diven

Mr. Ferlo

Ms. McDonald

Mr. Ricciardi

Mr. Hertzberg

Mr. Onorato

Mr. Udin

Mr. O'Connor

(Pres't)

AYES Nine NOES None

Bills have received the legally required number of votes and have passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 1217:

Report of the Committee on Public Works, Water and Environmental Services for January 27, 1999, transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1152:

Resolution vacating a portion of Fall Way, between Serene Street and Admiral Street, in the 24th Ward, 1st Council District of the City of Pittsburgh.

Which was read.

Mr. Cohen:

Mr. President, excuse me for interrupting but before we vote on that bill, I would like to change my vote on Bill 1161 that we just voted on. I didn't realize that came up under Finance. I would like to change it to an abstention because of a conflict of interest. I filed a paper with the Clerk's Office.

The Chair:

Okay, note one abstention.

You have heard the reading and title of the bills, any discussion on the bills?

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES **Nine** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

MS. MCDONALD PRESENTED:

Bill No. 1218:

Report of the Committee on Housing, Economic Development and Promotion for January 27, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1019:

Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh, the County of Allegheny and the Pittsburgh City School District providing for the Financing, Monitoring, Implementing and Terminating of the Fulton Building Tax Incremental Financing District. (HEARING HELD JANUARY 12, 1999). (PRESENTED BY MR. RICCIARDI & MR. HERTZBERG).

Which was read.

Also,

Bill No. 1020:

Resolution adopting a Tax Increment Financing Plan Presented by the Urban Redevelopment Authority of Pittsburgh creating the Fulton Building Tax Increment Financing District, and making certain findings. (HEARING HELD JANUARY 12, 1999). (PRESENTED BY MR. HERTZBERG & MR. RICCIARDI).

Which was read.

Also,

Bill No. 1081:

Resolution approving execution of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Continental Communities, Ltd., or a subsidiary to be formed for the sale of Parcel A (Part of Block 29J Lot 8) in the Sixteenth Ward of the City of Pittsburgh in Redevelopment

Area No. 55 - 25th Street, East Carson Street, 26th Street and the Monongahela River - (Council District No. 3) (PRESENTED BY MR. HERTZBERG).

Which was read.

Also,

Bill No. 1157:

Resolution Authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer of \$4,379.00 from the URA to the City to fund community development corporations. --(PRESENTED BY MR. RICCIARDI & MR. HERTZBERG)

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills.

Mr. Ricciardi:

Yes, thank you, Mr. President. I am going to have comments on two bills. First is 1081 and the other is 1020. On 1081 I will respectfully be voting no. That is the development of 303 rental units on the formally the LTV site which is now and hopefully will be known as the Southside Works sites. Once again for the record however, I will say it's a top-notch development, it is a quality development. I think the developer will do a fine job with design and hopefully maintaining the property. However, I articulated my views during the Committee Session and those views will stand.

At this time I would like to make a letter part of the record and if the City Clerk Wasler can make sure it gets into the records. It is dated December 29, 1998 from Mayor Tom Murphy to Gene Ricciardi and Mr. Birru, Executive Director of the URA. I am going to read just two brief paragraphs.

The former PFT site between 18th and 19 Streets was originally planned for multi family rental development. Giving the success of signature homes, we should redirect our efforts and develop the PFT site for single family sale units. This approach will meet the needs of the community and create a stronger and larger home ownership sector along the river.

By the way of this memo I am instructing Dr. Birru to work with the Southside community to develop a smooth and timely implementation plan for the development of sale units on the PFT sight. I would like to thank Mayor Murphy for his continued sincerity and his continued commitment for sale homes in the Southside neighborhood.

Getting back to the rental development, again I don't have a problem with the quality of the development site. I just believe that we should be abiding by the 1995 planning document in the Southside that said that particular site was supposed to be for a mixed development, for sale units and rental units. My fear is that we are going have to have Station Square, Southside and now the LTV site. It is going to be very difficult to integrate 300 rental units in such a congested area into the Southside community.

However, I am going to make that commitment to do my very best once it is constructed to make it part of the Southside neighborhood. This is not a bias against renters. I was somewhat taken back that those statements would be made. Keep in mind that the Southside community is 56 percent rental. So it is a very nice mix. We have 56 percent rental units in the Southside. We have 44 percent homeownership. It's a very nice mix.

However, we do not have anywhere in the Southside community highly congested streets that are just all for sale or highly congested streets that are all rental. We have a nice mix and this would destroy that mix. I would like to particularly thank all of the colleagues, however, for giving me three to six months to do some negotiating with the administration and the URA. Because without that courtesy that you gave myself and the Southside neighborhood we would never have been able to get this commitment from Mayor Tom Murphy even though it is not on the LTV site, Mr. O'Connor, it still gives us a commitment for more sale units. Because this 56 percent rental units now with this is going to shoot up anywhere from 62 to 65 percent rental. It's going to mess up the nice balance that we have. But this commitment that all of you gave me an opportunity to deal with the administration is going to bring it back where it should be a nice 50/50 percent mix. I want to thank all of my colleagues here.

The Chair:

You're talking about when you say the PFT building, you are talking about the riverfront property that is behind it?

Mr. Ricciardi:

Yes. That is correct. We are very fortunate that the Pittsburgh Federation Teachers working through some initiatives with the URA, Mr. Hertzberg, took leadership positions on it that we are able to sell that back to the URA and we are going to have some for sale home ownership on there.

I have no more comments on that particular bill. I don't know if I should go to 1020 unless someone wants to talk to that particular bill.

Mr. Ferlo:

I want to thank Councilman Ricciardi for raising a number of significant policy related issues last week. I thought it was good discussion. Obviously I am very excited about this development and don't entirely agree with the Councilman's characterization of the impact of this housing that he was very eloquently explaining last week.

I only want to urge as a comment that any of the activities that happens at the Southside Work site including the vote today is eventually not only going to involve the vote and the participation of the District Council member. In this case it happens to be Mr. Ricciardi on the Forbes Field, Forbes 5th corridor, Councilman Udin being the elected District Council representative. I just wanted to stress how important it is that in the appropriate stage of deal making that the District Council member and/or the majority of colleagues be involved early on enough so that the administration is off onto a tangent working so hard trying to

bring a deal to closure having upwards of 30, 40, 50 community meetings only towards the final 11th hour for there to be such disagreement.

So that's not meant as a criticism of anybody, I am just saying and reiterating something that Councilman Diven stated that we need to be involved early enough so that if we have strong views and are representing strong views from the community it can have the direct appropriate input early on in the deal not at the 11th hour.

That's kind of if we can take one lesson from the discussion there I would hope that we would do it. But in voting for this so called rental housing if we look at it in its over all context, we see disproportionately the Southside community benefiting for single family owner occupied housing in one neighborhood more so I believe than any other neighborhood at this point, to the credit of the community and to the credit of Mayor Murphy and his administration and Director Birru.

So I am voting today in the context of what all is happening on the Southside up and down from the flats all the way towards Station Square. I was extremely impressed with the high degree of quality construction that is being proposed. I just hope that what we see and artistic renderings can also often times be embellished but I trust that continental organization and Southside leadership forum and the other groups are going to hold everyone to task. And while the designation does not carry a formal legal historical designation, I believe they have assigned themselves to the historical district guidelines and the construction of

these materials and the massing, and the scale and the like.

If anything, I think we should be applauding the Mayor and Director Birru for a job well. Councilman Hertzberg is on the URA Board, this is a class development initiative that is going to provide great housing opportunities not only for city residents but hopefully for residents that don't live in the city but want to come back to the great community of Southside close towards riverfront, close towards their place of work downtown, the Oakland and the like. So if we can keep this trend that goes to the proper growing the city that has been the theme of this administration and I applaud them.

Mr. Hertzberg:

I want to thank Councilman Ricciardi for his commitment to try to assuming this passes to try to make this development a part of the Southside. I know he has reservations whether it can be done or not, but I think it is planned in a way that it should become part of the Southside with Councilman Ricciardi's assistance where we have the design on Carson Street, we have retail on the first floor like you see on the rest of the Southside. I think you have a plan that shows homes that although they are going to be new in a lot of ways resemble the homes on the rest of the Southside.

So I think if Councilman Ricciardi and the community will try to work with this development, I think it can end up being a very successful development and fit right in.

Mr. Onorato:

I, first of all, I don't think anyone will question the quality of what is going to happen here. This company I have heard has done some great work. But what is the debate of the day is the planning and the decision of where we want to be moving this city. This is the third time that I can recall on a major development that we have had the exact same discussion. One being Crawford Roberts in the Hill, there was an issue over how many owner occupied versus rentals when I first got sworn in seven years ago. Council lost out on that issue. We wanted more owner occupied, we wanted a mix. It wasn't one or the other, but it was heavily lopsided toward rental.

There was another issue on the North Side along the riverfront with Lincoln properties up scale rentals it's a hundred percent rentals next to the new ALCOA construction and there was debate over having a mixed use there, and it went to rentals. Now we are faced with the same discussion again on a great piece of property on the Southside, another great development and there was a balance requested and that is the majority rental with the approximately 50 for sale units which is a great mixed use.

Once again the final result is hundred percent rental. I mean there is a trend developing here that disturbs me. It is not that the quality is not good, not that the developer is not good, the trend is that the finances of these deals are forcing us into 100% rentals every time we get to the discussion of should it be mixed or not. I think this is a golden opportunity to have mixed use, you were not dominating with owner occupied, the advantage of doing some owner occupied is that you spread the wealth around in that you have more

individuals taking stake in the community. You would have fifty owners in addition to the large owner of the development, of the rental complex, as opposed to one investment company owning all the development.

I think it is a dangerous precedent to constantly always go to 100% percent. I think mixed uses are the best for our communities. I would have to say today I am just going to vote no even though I know it appears the votes are here and just as a protest vote to say mixed use is important to all of us. It is an issue that was in my district, it was an issue in the Hill District, it is an issue now in the Southside and it is going to continue to come forward as we develop these areas. I think owner occupied has a place doesn't have to dominate, doesn't have to be exclusive, but has a place on these developments. My fear is it gets squeezed out every time we close the deal. They should be part of the deal.

Mr. Ricciardi:

I just have to clarify the record, that one of my colleagues talks about 54 community meetings in the Southside, let's be very clear that at least 50 of those 54 meetings were with a steering committee of three. Just for the viewing audience of the Southside I am not adamantly arguing this because I have already argued and articulated my views of opposition at the last week committee session. Thank you. On a different bill if --

The Chair:

I am going to vote for this bill, but enough discussion. But also I think it is very clear for you and now Mr. Onorato

are sending a strong message what your intentions are for the future of Southside. I know you have lobbied very hard to make this thing work and make it the high quality that it is.

Again, I think you are sending a strong message through us and the administration and URA that you have to be involved in your community and your community has to be involved. So with all do respect to your hard work on it, I think it probably wouldn't be there without your initiative. We will also -- we're not all supporting it, but it will pass today, but I think it does send a clear message that we are all concerned and we will follow your leadership in the future.

Mr. Udin:

Just so that the record is balanced, there is an additional element that needs to be considered when we are trying to design an appropriate mix. And that is especially in cases where there are public monies or tax dollars or rebates or any kind of benefits like that involved, it is important that we use the influence of Council to assure that there is a class mix as well and a racial mix. So that the entire city becomes less segregated. As you know Pittsburgh is one of the most segregated cities in the north racially and class wise.

So we need to try to mix the housing pattern and integrate it economically, integrate it racially, and then it will be easier to integrate the schools. One of the most difficult reasons why we have segregated schools in Pittsburgh is because the housing is so segregated. So I think that the discussion is a very important one and we need to

use the city dollars investment in these projects to create a truly diverse and integrated society.

Mr. Ricciardi:

Yes, thank you, colleagues. Regarding Bill 1020 that's the tax incremental financing plan, the TIF for the Fulton building in the City of Pittsburgh. Colleagues, it should be viewed in the public I am sure the public has heard us several times that the TIF moneys that are coming back to this particular project is not going into any infrastructure needs. That's very important to know. The TIF money coming back into this project is going into the building itself, the asset itself. And I think that gives us reason and it gives us the ability or at least the foundation to place certain criteria into the legislation or even one would call it a restriction into the legislation.

As you know before City Council I proposed the living wage ordinance. I had believed that if you were going to take part in public subsidies, this is a public subsidy. If you were going to participate in public subsidies that you should pay the living wage. Well this is a continuation of that thought.

I believe here in the City of Pittsburgh and it is only in fairness to all the other hotels in the central business district in the City of Pittsburgh, that if this particular company doing the Fulton Building is going to receive public subsidies, they should not only be paying a living wage but they should also be part of a labor organization and at least the concept of one. Colleagues, in eight years I have always had my amendments in writing and I do apologize for this. I am

going to be asking City Council to waive the rules of City Council so I can present an oral amendment here today.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

The amendment reads for Bill 1020 section eight Sage properties shall enter into a certified labor agreement with a bonafide labor organization recognized by the National Labor Relations Board.

MR. FERLO seconded the motion.

Mr. Ricciardi:

I was very pleased that the developers of the Fulton building entered into a similar pact with the building trades organization. I thank them for that and this is just a continuation if you are going to take public subsidies, if it is not going into the infrastructure but into the asset itself. I think you should not only pay a decent wage but I think you should be part and be participating with a labor organization no different than the other hotels in the central business district. It is not going to be fair to the other hotels in the central business district if this organization takes public subsidies, does not pay a certain rate. Thank you.

Mr. Udin:

I was out of town yesterday and I was not able to determine whether or not the Sage had sent correspondence to colleagues indicating their intention. I know that is what we had requested at last Wednesday's meeting. But I haven't read my mail, did anyone recall?

Mr. Diven:

I asked for them to give us something in writing and I haven't received it and that's why I am going to vote no on this.

Mr. Udin:

I am in support of Councilman Ricciardi's legislation.

Ms. McDonald:

The only concern that I would have with the amendment, I have no problem with the spirit of the amendment. But Sage has verbally communicated with me that they would indeed employ for construction and for the management of the facility, city employees as well as and particularly minorities who are under employed in our community according to every benchmark study I have ever read.

The question that I would put then if we're going to put in an amendment that says unions only, then it is incumbent upon the unions to employ African American's and City of Pittsburgh workers. Now if the unions are willing to do that, then I am willing to go with hey let's stay union. If they're not willing to do that, then I am not willing to just you know focus in and very myopically engage ourselves and pigeon hole ourselves into this. Sage has committed to diversity. I want diversity. Number one. Number one I want diversity. I want to see all kinds of folks working there including people that look like me. I want to see City of Pittsburgh workers there.

So I am not sure how this

amendment is going to impact. I understand the spirit of it but for this particular amendment I am going to abstain because I would prefer to let Sage communicate back to us or a representative of the URA whatever, what exactly their plan is. I do agree Union but only, only if it includes us.

Mr. Udin:

I fully agree with Councilwoman McDonald's comments and from what I have seen the hotel workers union is probably one of the most integrated unions with the highest percentage and number of African Americans included in the union of all the unions that I have seen with the possible exception of the hospital workers at 1199.

Ms. McDonald:

Let me respond to that. I agree with Councilman Udin that I found the same thing out. I have no problem with the amendment if it read indeed that they would engage in a contract with that particular union. But my understanding and, Councilman Ricciardi, please clarify that the amendment is to also engage in construction, that's the bone of contention from me.

Mr. Ricciardi:

There already is an agreement with the Pittsburgh Building Trades and the developers of the Fulton Building and it's a labor agreement and they started negotiating around December. So that's a side agreement on a side bar that they have met on their own. This amendment here will make sure that any of the employees that are working in the facility receive not

only a living wage but receive the protections of what a labor collective union would offer such as for example the hotel and restaurant employees I believe local 57.

Also it is a fairness issue that other hotels, but if I understand your question regarding the construction of the facility, my amendment does not deal with that. But I want to be honest with you; there is already an agreement that was signed between the Pittsburgh Building Trades and the developers of the Fulton Building. How that agreement deals with the workforce I am unaware of it.

Ms. McDonald:

So the amendment -- to be clear your amendment deals with the employment in terms of managing and running that facility?

Mr. Ferlo:

Post construction employment.

The Chair:

If it only deals with that, thank you Ms. McDonald, for bringing that up. Sage Properties shall enter into a post construction certified labor agreement. I thank both you and Mr. Ferlo for clarifying that for me.

Mr. Ferlo:

Thank you, Mr. O'Connor. One of the reasons why I raised this issue last week when we were at the table with Dr. Birru, I don't want to vote for tax increment financing at least in the central business district. Now I am willing to

look at smaller size hotels at the neighborhood level or obviously have a direct vote on things outside the city. But in terms of the central business district where you have a concentration of major hotels like the William Penn, the Double Tree, and the Hilton, and the like all of which have a formal union agreement with a number of unions, including the primary union local 57 and the hotel restaurant employees, I don't think it is fair for us to intervene in the market place and help subsidize and give an additional benefit to this new hotel.

By the way I am totally in favor obviously as I have stated for many, many months. I think this is another great plus for the Mayor and Dr. Birru and his administration. The Fulton Building is a historically significant building. If we are going to grow the city and hopefully if we do get Plan B and the needed expansion of the Convention Center we are looking at additional hotel rooms badly needed in the downtown corridor not out necessarily at the new airport.

But I am very concerned that with the level playing field that exists between the other hotels and the manner in which they need to operate, you know the bottom line for the hotel rooms, conference ball rooms. This hotel is going to have more staying, lodging rooms as opposed to a ballroom per say but there should at least still be a level playing field. So I am very much in favor as I spoke last week about making sure that there be a bonafide labor organization. I don't think it is appropriate for us to pick the labor organization in this resolution obviously, but I appreciate the phrase bonafide labor organization. Because there are a number of unions that should be considered and a rising vote will

hopefully lift a rising tower will hopefully lift everyone's boat. And if we are going to have better employment, post employment, we already know there are trades agreement in place, but if we are going to up the standard of living locally, I think it needs to be what the public dollars support that we are giving this project. So, I am very pleased and very supportive of the resolution.

Mr. Hertzberg:

I know Dr. Birru has always felt there could be legal entanglements with this kind of provision, but I am not sure what they are. I have tried to analyze it from a standpoint of what the legal problems could be. I mean we're certainly here offering this company something in the form of tax increment financing and we have already created a number of conditions and this is just another condition that we believe is in the best interest of the city. If there is some legal problem with it, then I think we need to take that chance and give it a shot here. If there is going to be battle then there will be one and if there is no clear precedent on it, hopefully we will win the battle.

Mr. Ferlo:

I want to make one point also because I know I am sure the editorial boards will be attacking us on this issue. Certainly their right wing Tribune Review and the right wing editorial board at least on labor issues the Post Gazette. But this is good business here in addition to my own personal philosophies and support of unions. What I am concerned about is if we are going to invest all of this money and we want the Fulton Building to be off and running with Sage Hotel Systems and

whatever they are going to name this new hotel, the worst thing that could happen is for picket lines and for conventions be they labor organizations or there are many big companies, corporations, unions, others that will come and visit to this city hopefully going to the Convention Center. The worst thing we can do is have the kind of disruption or this anomaly where one hotel happens to be non-union.

I don't think that is good business sense. I think in this vote we are not only making a philosophical statement about the quality of life that we want for these employees, I just think it is good business. I don't think it is a good way for us to protect our investment in this tax increment financing proposal you know if we have this situation where they can stand out alone. I don't think that is a good -- I don't think that is even a prudent business decision.

Mr. Diven:

Yes, sir. First of all, I am glad that we formalized an amendment that will require them to have a union workforce in the hotel. I asked for that information to be presented before this vote today and for whatever reason it wasn't. I think there has been a commitment made and they said they were going to do, but I think it goes back to Mr. Ricciardi's point. There was a commitment to have mixed use or rental and home ownership on the Southside site with his legislation and for whatever reason they came back and found out that wasn't as economically advantageous so it changed. I think it is important for us to get some kind of clarification and lock them in if we are going to provide them with the financial incentives that we are offering this deal.

Having said that, I am going to be voting against this legislation. I will vote for Councilman Ricciardi's amendment but I will be voting against this legislation. The reason why I am voting against this legislation is because I believe with all the money that we are placing into Plan B and making that part of downtown Pittsburgh, a first day attraction or place that is going to be a critical mass for everything going on in the city, I can't see why we would have to subsidize the hotel's development. I think it is something that it might not be economically viable today but in two or three years the climate will exist where this hotel could stand on its own merits. I say this because in my research in reviewing this project they talked about how the only bank that would finance was the bank of Nova Scotia which was something that I thought was ironic considering we just gave two \$15 million TIF's to two of our local banks. Now we want a development downtown and this company has to go outside of the country in order to get financing.

But getting back to the point, they said they couldn't go for more money in doing this project and they had to fill that gap with a TIF. The reason why they couldn't go for more money was because of the vacancy rates on hotel rooms. Specifically they stated out that the vacancy on weekend nights are what drove the financial outlook of what they would take in down to the point where they couldn't ask for the amount of money that they needed to make this project viable.

With adamant of Plan B and bringing two new stadiums and bringing an expanded Convention Center that is triple the size and with the first day attraction right a minutes walk across the

bridge into the North Side, people are going to want to stay in that hotel. They are going to want to stay in that hotel not for business during the week but on the weekends. I believe that it's a situation where we have to look at the natural market should be able to take care of this hotel's ability to profit or not.

I think by coming in and subsidizing it right now with the use of a TIF in two or three years when those vacancy rates go up as a result of all the investment we are making in Plan B, there is going to be enough income from that hotel so that they don't need a TIF. So I believe that this project can wait and probably should wait. I think even though it's a small amount compared to some of the other TIF's I think we have to be able to make sure that we don't start jumping in on every project. We have to be able to evaluate it and look at it that the climate is going to change within the next three or four years. It is going to make this project viable on its own merits. So let the developer wait it out until it's viable enough for them to do it instead of having the city come in and pick up a portion of the check for making this development happen. So that's why I will be voting against this legislation today.

Mr. Cohen:

My initial reaction to this development of the Fulton Building when it first came across my desk was the same as Councilman Diven's and I understand his position, and I respect his position. I think that's what has changed my mind on this development and an issue that I don't think has really been brought up yet here this morning is the historic character of that building. That is an old majestic

building. And when I looked into it more deeply and found out what this Sage Company is going to be doing with this building and how they're going to great lengths to preserve the historic character of this building including the rooms, including the dramatic arch way right on the Allegheny River, including apparently there are stained glass windows that need to be uncovered that were blackened out during World War Two, it is very, very expensive to do that and Art Zigler from the Pittsburgh History and Landmarks Foundation addressed this issue at our Public Hearing. That convinced me when I saw the tremendous care that they are taking to bring back the old majesty and beauty of this building and how expensive that is, it costs millions of dollars to do that.

It convinced me that it was worth an investment by the City of Pittsburgh to have that happen. That really is kind of a gateway building as you look at from the north shore and something that we do want to preserve and we do want to beautify in a way that Sage will do it. They're experts at it. I am convinced that they will do it right. I think it is worth this investment.

The Chair:

I have one concern, Mr. Ricciardi. In fact to the credit of this company I found out they actually get a federal historic tax break too. So they know the game and they really going in and getting a benefit but that is to their credit. They know the deal and that's probably why they can invest so much money. I certainly support the idea. I think this kind of ties up what we want to do is hire people that represent the vast majority of city residents whether it be black, white of all color that

they have an opportunity and this is certainly the union I think that is the most diversified. So, I certainly would want to support that.

One question I have and if I am looking at the future whether we are setting a precedent that would maybe come back and bite us. If all of the unions agree to say a 10% increase that is one thing, I don't know that each hotel union can ask if they bid their own. So I am curious if we say you have to use this union.

Mr. Ricciardi:

Oh no, I didn't say you have to a particular union. We said a bonafide --

The Chair:

That is the thing I am worried about, are there other unions? I don't know if every hotel worker gets a 10% raise and they negotiate that is fine. If one hotel says well we have it, legally they can't go anywhere else and we want a 50% increase, not saying that would happen, I wouldn't want to tie the hands of any company. So that's my fear of sending a terrible business message that if we force them to use someone who they may not want to although this company said they agreed to use them.

Mr. Ferlo:

The amendment in no way stipulates any specific labor organization. It only says that there shall be a recognizable, certifiable labor organization. We're not getting involved --

The Chair:

More than one hotel.

Mr. Ferlo:

There are any number of unions that I am sure would love an opportunity to represent the employees of this new hotel in addition to Local 57. That's really something that is between the labor movement and their ability to organize and communicate to those employees.

The Chair:

Do you know if hotels bid themselves? In other words, if the carpenters get a raise, it is across the board raise. If one hotel --

Mr. Ferlo:

But these unions are separate from the building trades. The building trades --

The Chair:

I am using that as an example. Does each hotel negotiate their own deal?

Mr. Ferlo:

The building trades negotiate across the board typically. Once in awhile they will make a separate deal depending on a particular situation. Each one of the hotels downtown has a separate labor agreement even if it is the same union. I think you will find that possibly the agreement in one hotel has a different characteristic than another. They always strive for a baseline agreement for contributions of health and welfare and for the wage whether you are working at the

Hilton, the William Penn, the Double Tree. But I don't see why we even have to get involved at that level.

I think the only thing Mr. Ricciardi's resolution is saying that in addition to the commitment that this Council is making financially for the construction of the hotel, we are very concerned that our TIF dollars and our public investment afterwards create a higher level of meaningful employment and that there be a recognizable bonafide labor organization proposed employment.

Mr. Udin:

I would just like to add to Councilman Ferlo's, I think very much like the hospital workers there is single Pittsburgh local that represents the hospital workers at each of the hospital. Each hospital doesn't have its own local. I think the hotel and restaurant workers are organized in a similar way. But you can be sure that that particular union is not the only union who is interested in organizing restaurant and hotel workers. Just like 1199, the African American Workers Union recently won they voted to have the African American Workers Union represent the hospital workers.

So there are other unions competing for that membership just the same way that the African American Workers Union may well be interested in competing for the hospital and hotel workers. I am certain that they are one they are certified and they are interested and they're hungry and competitive. So this legislation does not identify any particular union, it just says some certified collective bargaining agencies. But all of that can be avoided if labor unions follow

their own creed and diversify before competitive unions are necessary to be created. I mean that's really what would avoid this in the first place.

The Chair:

I certainly support the spirit of it. I would ask for a legal interpretation that we can do that and I will support it. But I would like a legal document. Also, again if which is different hotels and representatives, in case, my fear is if there is a steel mate for whatever reason, whether it be personalities or what that all of a sudden that this company is tied to one group or individuals who for whatever reason isn't working, I wouldn't want us to tie their hands to be able to go to another union is certainly a feasibility.

Again what Mr. Ricciardi is talking about, at least we don't have the ability to say prevailing wage because there probably isn't a prevailing wage for a bartender or cleaning person whatever. Hopefully someday that comes and hopefully the President will get his minimum wage through to at least start the ball rolling, so there is a decent wage for everyone.

Mr. Ricciardi:

I believe we need a vote on the amendment.

Which motion prevailed.

The Chair:

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Udin	Mr. O'Connor

(Pres't)

(Mr. Diven voted no on Bill 1019 and 1020. Mr. Diven, Mr. Onorato, and Mr. Ricciardi voted no on Bill 1081)

Bills have received the legally required number of votes and have passed finally.

MR. COHEN PRESENTED:

Bill No. 1148:

Report of the Committee on Lands, Buildings and Procurement for January 27, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1148:

Resolution providing for an Agreement or Agreements or use of existing Agreements and/or Contract or Contracts, or use of existing Contracts, and for the purchase of materials, supplies and equipment and/or services in connection with the Renovations and Maintenance of Various Public Buildings and elevators; and providing for the

payment of the costs thereof, not to exceed \$190,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Bill is now ready for final action. All those in favor of the passage of the bill vote aye when your names are called; all those opposed vote no.

Clerk, please call roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor

(Pres't)

AYES Eight NOES None

Bill has received the legally required number of votes and has passed finally.

The Chair:

Under motions and resolutions. I have an appointment of Jacqueline Morrow to the Pension Trust Fund.

MOTIONS AND RESOLUTIONS

MR. O'CONNOR PRESENTS:

No. 1220 A resolution appointing Jacqueline Morrow, Solicitor, City of Pittsburgh, as a member of the City of Pittsburgh's comprehensive municipal trust fund board term to expire January 31, 2003.

MR. FERLO moved to adopt.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Before we open to continue motions and resolutions, I would like to announce today at two o'clock we have a Public Hearing concerning the Allegheny County Board of Elections place before qualified voter of the City of Pittsburgh. That referendum will be today and I believe it is televised.

We have a Public Hearing at three o'clock tomorrow concerning property at 920 Duquesne Boulevard.

Mr. Udin:

On the Public Hearing this afternoon, Mr. President, just a point of information. Director Stanley Lowe has notified me that he will be unable to be present at the Public Hearing. He will be represented by the Director of Operation Attorney Keith Kenar (phonetic).

Ms. McDonald:

Thank you, Mr. President. I am speaking on behalf of the experience that I have had in chairing the committee on Parks, Recreation and Youth Policy. Since the resignation of Director Faith Gallo I

have been told that there will be a search for a new director of this department. In this case I see no reason for a search, it's a no brainer here. You have Assistant Director Duane Ashley who has worked there for 20 something years can run that department, has done so in the absence of Director Gallo when she was off ill, he ran that department he's been doing that. He has a rapport and the respect of all the folks that work in Parks and recreation. He is an excellent individual.

I don't understand why we are looking, why we are even thinking of a search and I would urge my colleagues to please express if you feel that if we have someone within our own ranks that can take over in allotable manner, in a wonderful manner, then I say we should look at who we have. I am sending a message over to the administration you need to cease and desist from this search. You already have someone you have to search no where. Just take Duane Ashley he's like I said he has on many occasions handled it, the whole department. He has the rapport. Just go ahead and appoint him as director. Whatever director comes before Council they have to be confirmed.

I don't want to have to be the squeaky wheel because I am telling you right now I am not going to confirm anybody else. I am going to confirm Duane Ashley that's it. He runs the department, he knows that department and I don't understand why we need to go anywhere else. In this case we have one of our own. I would just hope that, I had told Councilman Ricciardi of my intentions, of my concerns that we need to cut the madness of this search.

Mr. Diven:

First of all, I would like to commend Councilwoman McDonald for bringing this to our attention and tell her that she has my vote with her if it comes to not confirming anyone else but Mr. Ashley. I think what we need to be doing here is sending a message to everyone that works in Parks and Recreation, here is a guy that came in and started at the bottom and through hard work and through a lot of dedication has worked himself up to the second spot. The first spot should be rightfully his. I think that sends the message out to every other Parks and Rec. employee that if you work hard and you are dedicated to improving Parks and Recreation for the City of Pittsburgh that you are going to have chance to advance.

I think that by going out and having a national search and coming back and selecting someone else it's slap in the face to everyone of those Parks and Recreation employees who see Duane as someone like themselves, who started day one, knows what it is like working in one of the centers, knows what it is like to work your way up through dedication and hard work. Having him move into the director spot would be one more incentive for them to continue on their hard work and to do more with less. It would also send a positive morale message to all the employees in that department that if you work hard you're going to succeed just like the Director Mr. Ashley has done in his career with the Pittsburgh Parks and Recreation.

So I am committed to Councilwoman McDonald's position, I think we should not even consider anyone else. I think if it comes to not confirming

anyone else, I think I am willing to put my vote with hers in a block and move in that direction.

Mr. Ferlo:

I think everyone knows how I feel about the former director. For at least the last two years I have expressed my concerns privately to the administration and to the Mayor that he is possessed with some great talent within the Parks Department.

Obviously I have lobbied and supported Mr. Ashley many times in the past, and certainly have made my views known to the administration and to the Mayor. It's unfortunate we have to get into this public discourse here about employees because there are a lot of great employees at the administrative level and all levels within the Parks Department. I don't know if this search is any more serious than the search for the fire chief where we also have a lot of great talent.

I have actually urged our rethinking about that position and what its duties could or shouldn't be, but it is always uncomfortable having these public debates when we are trying to lobby because I am worried it is going to have the opposite effect if we make our views known. But there is a great talent in the Parks Department at all levels including the administrative level and I would hope that we don't have this vacuum. I mean they should fill, they have known for sometime of the decision on the part of the former director to resign. I realize they have a lot of things on their plate, but sometimes leaving these vacuums doesn't help the situation. Not only the morale of the department, but now we get into this

debate about having to lobby for individuals within the department. It is just an unfortunate situation. Same thing goes for the Fire Bureau.

We have a gentleman who is doing a great job in there now. I mean maybe the administration wants to rethink and I have actually made the suggestion to them about bifurcating the job function there. But I would just hope that they in addition to all the other tasks that they have to complete if they could just act expeditiously and prudently on these appointments and employee changes, because having a vacuum really doesn't help the situation including even like Public Works. I see these very much related.

I mean the situation where there is this public scrutinizing of an individual in the Public Works Department is supervisor who has now been put on I guess five days pending termination, you know I just don't know the basis for it. I know a lot about the department and staff contributions and if you are going to get rid of this individual, I would say you would have to get rid of about another twenty individuals. So, I don't know how their managing department I think the problem is at the top-level management of Public Works not at the supervisory level down to picking on this one gentleman, Mr. Paolino. I only say his name because it happens to be something that was in the paper. If you are going to start rolling in people and making that kind of change, then I would ask that you do it equitably, fairly, non-discriminatory fashion and do it across the board. That has not happened in the Public Works Department. If you want to start rolling heads at public works, start at the top.

Mr. Onorato:

Thank you. I want to -- I will be brief. I want to stay focussed. Duane Ashley has my full support also. I think the reason you are hearing this we have had years of dealing with Duane and he is unbelievable. He is extremely loyal to the Mayor, he is extremely productive and he knows how to deal with Council as a separate legislative body, separate and distinct from the executive branch.

I would just hope and ask that my fear with a conversation like this before there is a person nominated that the administration don't take this as a negative. This is not an attempt by Council to grab administrative powers. I think what you are hearing today is, we have an individual who is extremely qualified and has done a great job and this is more about him than about telling someone who to appoint. This is about somebody we believe is a perfect example of a Pittsburgher who has put his time in, but put it in a great way and deserves this opportunity. I mean Duane has done a great job from what I can see and I would be more than happy to support him from for confirmation.

Mr. Ricciardi:

Thank you. Mr. President, this is a very important discussion today and I thank Councilwoman McDonald for bringing it forward. Hopefully the information is not correct regarding the national search. I remember this happening one other time over the last few years when we brought in a Director of Public Works from the New York area upstate New York and at that time we had the three or four very qualified individuals

in public works and we bypassed them.

I chaired Parks and Recreation several years ago and I can see not only is Mr. Ashley very dedicated, very articulate, very smart, he knows Parks and Recreation but just as important he is supported by the employees the overwhelming number of employees with Parks and Recreation. I mean he is just excellent for morale. Not only sends a good message that you can work through the system but right now Mr. Ashley is support by I think everyone I talked to of Parks and Recreation and that is just so important. He has done the job in the past and maybe after Mr. Udin speaks we can have a joint motion for a vote of confidence for Mr. Duane Ashley for director of parks and recreation and I will wait for Ms. McDonald to first present that. Thank you.

Mr. Udin:

I would certainly not want to step on the prerogative of the administration to select their personnel. I remember how angry I was when we were having the hearing with the Citizen Police Review Board and Mr. Sirabella cut off the cameras to prevent Council from having a publicized hearing. It interfered with the prerogative of Council to have that public debate. So I would not want to interfere with that.

However, I think it is appropriate that we do send to the administration a sense of support and one for the principle of giving incentive and encouragement to people within our ranks when they work hard and do a good job that there is a light at the end of the tunnel that they can arrive at the top. It's a very, very important message to send not only to Mr. Ashley,

but to all of the people who are working in the various departments to note that they can achieve that if they work hard. So I certainly would join in with the rest of Council in supporting that sense of confidence and support of Mr. Duane Ashley as the Director of the Department of Parks and Recreation.

The Chair:

I certainly want to echo, I ran a restaurant chain for over 20 years and every time I went outside I made a mistake, I regretted it. The person coming in had all of these great credentials but didn't know our system never worked out. And I was always better with the person who had his heart and sole or her heart and sole in our company, our customers. Now Mr. Ashley has been passed over twice you know. First time when this administration came in I think he went to work for the county. Fortunately he came back.

The second time when they put a national search on, Mr. Ricciardi, you will remember this, they went out and hired a person from Colorado. Sounded very qualified, unfortunately he was here only a short time. He had an illness in his family and had to leave. But I remember when he walked around we asked him I went to meet with him on certain issues I believe I was the chairperson of parks, the answer I got he wasn't going to do anything for six months until he learned the system. Come on. That's what we did the last time we did a national search.

We have 18 centers 33 pools, 160 parks if you hire from outside the city, it will take them six months to find their way around. So I certainly want to send a

strong message to hire within. We all support Mr. Ashley; he's done an excellent job. I think almost everyone involved with him has, we don't want to tie the hands of the administration but certainly don't go outside the city, don't go outside the parks system. I think it would send a terrible message both for morale, for all the city employees. I think this is a whether it be the Fire Department we have people with ten, 20, 30 years they don't care who is in office they will be here, they will be dedicated soldiers no matter who is in Council or who is in the Mayor's Office. So I certainly would support your initiative to send that message however you see fit.

Mr. Udin:

One more point before Councilwoman McDonald has the last word, I just wanted to point out how much respect Mr. Ashley for not lobbying for the position. He did not lobby me, he did not lobby anyone to my knowledge and I am being lobbied all the time from a number of different directions. He did not lobby, he just did his job and I appreciate that and that should be rewarded as well.

The Chair:

I think that's an excellent to this man's character I never got a phone call from him.

Ms. McDonald:

Thank you. I think Councilman Diven hit on an excellent point, that he is home grown and that this is an indication that you can move up through the ranks and that you grow as the city grows. I agree with Councilman Udin, I guarantee you Duane is probably very angry with me

and I don't care. Because he is not going to go it he is not going to lobby. He does the same anything he just does his job that's all that man does, he wants to do his job and do it well. He is committed to Parks and Recreation and all of those programs, that's it. He is not a political animal.

So sometimes I may cross that line, we have all crossed the line from our legislative hats to here we are stepping into the executive branch. We do it, we do it all the time, all the time. But in this case, I really rarely will do that, but in this case I will do that because he is not the politician. He is just a very dedicated hard worker and I am going to step foot. I am taking the initiative to say that I want to give him a vote of confidence that I don't think your search needs to be very broad based. I think you have the person, the best person already in your ranks.

I also have to commend the deputy directors, the assistant directors, Mary Esther VanShura is excellent, excellent. She would be an excellent choice as well. The only reason I am saying Duane is he's put in a couple of decades, a couple decades. That's a long time. We also have Mary Platt-Coles who is also excellent. In fact, I told Councilman Ricciardi when we decided to mutually exchange committees, I said you are not going to have any problems in Parks and Rec. They give you the information, they are loyal, they are dedicated and they are clear. So it's a wonderful committee, and it's a wonderful staff. It is just at this time I think Duane has paid his dues and he maybe angry with me at the time.

Lastly, I would hope that this does not backfire. Because that was also an

element that was brought up to me, will this backfire? I would hope it wouldn't because I mean it is like a taste of your own medicine. We're now being as we try to grow this city in terms of stadiums and Convention Centers and what have, what had happened in Harrisburg backfired on all the residents of the City of Pittsburgh and that's not right. Just because someone spoke up and said yeah we want the stadiums we want we think we have the vote, it backfired. I would hope that this wouldn't backfire as well. I think this is a good thing to do and it shows and it sends an excellent message to all the employees throughout the city that yeah we will let you grow and rise to the top.

The Chair:

So that it doesn't backfire, Linda would you correct me if I am wrong, it takes five votes to hire a new director of Council.

Ms. McDonald:

Confirm.

The Chair:

So a person can't start without our confirmation, right?

Mr. Ferlo:

You mean like the fire chief? I hope we're not going to get into a constitutional battle with the Mayor. I mean the Mayor knows he has some great staff people in the parks department. I would ask that Councilwoman McDonald draft or Councilman Ricciardi either draft an appropriate memo from Council that we can all sign alluding Duane's capabilities

and urging the Mayor to hire from within, give consideration to Mr. Ashley or whatever. But maybe they can just draft a letter and we can all sign it.

The Chair:

And for whatever reason he is not doing the job in a year, put it in writing let him grow give him more training, whatever assistance. There is a way to do it, not that he needs it.

Mr. Ferlo:

I don't think that is a problem. I hope we don't get into a political fight over this with the Mayor.

The Chair:

I hope they are listening.

Mr. Cohen:

I am also very supportive of Mr. Duane Ashley, I think he would make an excellent director and certainly extremely supportive of Mary Esther VanShura. I don't think we need to do it in a motion. I don't think we need to do it in a motion, I think we already sent the message.

But, I want to talk about a different issue this morning and that is Plan B. Two years from now we may look back on Pittsburgh and wonder how it happened. How did it happen that the Pirates and perhaps the Steelers left town? How could the powers that be lost the once and future glory of the Pirates and the Steelers and the world wide publicity that they bring to Pittsburgh. Even more importantly, how could they let billions of dollars of new

development in addition to stadiums go down the drain? How could this happen when these teams could have been secured in Pittsburgh and this development could have happened without a single tax increase and without city, county or state increases? It could all have been done with current tax dollars and with private owner contributions.

Mr. President, the next week will tell whether this gloomy scenario will prevail or whether there will be a new day, a new plan for Pittsburgh.

Art Rooney's comments yesterday reported in the paper today I think should make everybody who thinks that the Steelers are forever in Pittsburgh should think again. It is rug-cutting time in Harrisburg. The state legislature as we all know will vote on whether to raise the debt ceiling not taxes but debt ceiling. In fact they are going to be cutting taxes in Harrisburg not raising them it looks like. But to raise the debt ceiling to allow stadiums to be built, to keep the Steelers, Pirates, Eagles and Philly's in Pennsylvania.

I want to thank personally Councilman Sala Udin for going to Harrisburg yesterday. I would very much like to hear a report from Councilman Udin as to what transpired yesterday. But I believe that Council as a whole needs to urge the state legislature to rise above petty politics, to allow us to keep our teams, to stimulate four billion dollars worth of development in the City of Pittsburgh. It will help us to accomplish all the goals that we talk about here every day. Keeping our young people here. We had the Pittsburgh Urban Magna Project, PUMP, and other young people

organizations in Harrisburg lobbying yesterday. It will help us stimulate development it will help instill confidence in our future.

Are there issues that remain to be resolved? Yes. There are many issues that remain to be resolved. One is the lease agreements with the Pirates and the Steelers. Those lease agreements have not been signed and executed and that's a good thing because it leaves us the ability to negotiate further with the Pirates and the Steelers. I can tell you as a member of the Public Auditorium Authority that we will negotiate in strength with the Pirates and the Steelers and it will be an arms length negotiation. There is the outstanding issue of property disposition on both of the sites. Obviously the issues of the details of how development will unfold on the north shore, there is an issue as to whether or not the Pirates can play a few regional games around the state, during their regular season. All of these issues will be resolved and we have ample time to resolve them.

But we need to come together now to help get Plan B passed in Harrisburg. This is it; this is the moment of truth. There is one week left. It is rug-cutting time and what I would suggest and I am going to make a motion for this is for Council to go on record in support of Plan B. I realize that all of the hours of discussion that we have had about it we have never gone on record, as far as I know, supporting Plan B, supporting the raising of the debt ceiling in Harrisburg, and I would like to make a motion.

MR. UDIN seconded the motion.

Mr. Cohen:

And if it passes, to --

The Chair:

All in favor?

Mr. Ferlo:

Discussion.

Mr. Cohen:

And if it passes, Mr. President, I am including my remarks to send it to every single legislator, democrat and republican in both houses in Harrisburg.

Mr. Ferlo:

Well obviously I am in favor of the resolution. I have spoken on numerous occasions in the last many months also trying to use every opportunity to explain the difference between Plan A, disaster plan, and Plan B for which is to me a no brainer as far as moving this city and the Convention Center expansion ahead. I would suggestion we not send my comments that you can send your comments, but let me make a few points.

First, if it wasn't for the elitism and the arrogance of the corporate and political leadership of this region that created such division and disharmony around so-called Plan A where people squared off and weren't looking at any facts and reasoning, squared off to the point where and it was clear from the beginning as I stated and many other people stated that there would be resounding defeat to Plan A. It was a bad plan for all the reasons I stated in the past.

Unfortunately the residual opposition and to a large extent remains for Plan B. Instead of people actually looking at it as a business plan in terms of what its actual financial impact is, they are looking sincerely at what the plan is and does and what is the real situation. Because there is such a bad taste left in everyone's mouths that it's fed the mania of even Commissioner Dunn in terms of how he's characterized in the same breath Plan A plus Plan B and millionaire sports players and the like and that's unfortunate. Because we have a situation where I differ a little bit, I know the lobbying after it was aimed at the state legislature yesterday I expect the state legislature at the Senate level and the House to do exactly what I would expect them to do. They have the Governor by the proverbial. They know the Governor is a political leader once to bring the bacon home and wants to get Plan B implemented to its credit.

So I am not criticizing the state legislature, because they are probably doing what all of us are probably doing and that is looking for something out of the deal. So, if I were to put the pressure and the focus on anyone over the next few days, it would be to the political skill and leadership of Governor Ridge to get a majority of his party, the Republican leadership in the House and the Senate by whatever means necessary to support this. Between the Democrats from the urban areas and others who believe that we need to grow the state through economic development that is appropriate, I have a hard time believing that we can't muster enough votes for the passage of Plan B. But the Governor has got to the one to make the deal.

He did that with sticking a gas tax

down our throats. He did that with raising and tripling the registration fee for cars. He did that with creating truck mayhem on our turnpikes by allowing the trucking industry to take control. I mean I can point to all kinds of situations where the Governor has whipped everybody into line for things that were against the consumers at least in my opinion.

Here we have something finally the City of Pittsburgh and the region gets something back from Harrisburg and not just Philadelphia. Finally we are able to not raise any new tax. All the income is generated from at least at the gut level from the existing one percent sales tax that has been in place for four and a half years. You know finally we get to see a billion dollars of construction with the anchor not only being the stadia because that is what everyone is focused on, but the fact of the matter is the tripling of the Convention Center is going to be a great opportunity for the city and the region to bring new revenue and new income into this community.

I agree with the opponents that if you don't have baseball those are opportunity dollars that most likely spectators will spend their money on something else. I agree with that to some extent. I think some of the lofty economic multiplying reports that have been done about the impact of the stadium and the Steelers and the Pirates I agree to some extent have been less than credible. But the Convention Center and I often ask people I said if anyone has been to a convention in Seattle or Portland or Cleveland or Columbus or in New York and a three or four day business meeting you may leave \$1500 to \$2500 in that other city. When is the last time a typical

Pittsburgher spent three days in Pittsburgh accept maybe during the holiday season and left \$1500 in the doorstep of the municipality, at the hotels, the restaurants, it hasn't happened.

We are leaving all of this money elsewhere. We have a great opportunity and the package is a package. Maybe I would have done it differently but I am not the Mayor and this is the deal that has been handed to us, this is the deal that has been handed to us it is a packing together of the new stadia and the Convention Center. It doesn't raise any taxes, it redirects an existing income tax that we already have had in place for over four years. And, it finally gets substantial amount of money in terms of the fairness of the state pot of money back to Pittsburgh and the city and the southwestern region. It is a no brainer as far as I am concerned.

I mean I am offended by Commissioner Dunn and other folks who have twisted all the rhetoric and logic and opposition to Plan A. I was one of those people fighting against Plan A because the plan was terrible from any point of view but the Plan B is a no brainer financially. I would say that the pressure has to remain on Governor Ridge. If he has to make a deal with other folks who have other economic development agendas, yeah, that is hard for a State Rep. or a State Senator from Center County to get excited about millions of dollars going to Philadelphia and Pittsburgh. I would be in the same part of the chamber floor if I were them. But surely they have a bridge that needs to be done, surely they have an old brown field site that needs to be redeveloped. When we start talking about what needs to go together, if we aren't going to invest the

surplus of state government now when economic times are better to reinvest in education, in the infrastructure of the state, in new economic development projects like the Convention Center here and things that are needed in Philly and in cities across the commonwealth, when in the heck are we going to do it?

We are certainly not going to do it when times are bad. Let's have some of that trickle down extra revenue come back towards meaningful employment including education. I applaud the administration at the gubernatorial level for including in the tax proposal, in the budget proposal upping the increase of reimbursement back to school districts. I am glad to see that. That is saying yes, we have a surplus and we are going to put it in the right places. So, I would say we have to keep the pressure on Governor Ridge. If he wants to ever be Vice President or anything else and he can't bring this deal to closure, he sure as hell ain't going to run the country.

In closing, Mr. President, I don't understand where all the democrats are from Allegheny County. I mean where are their heads at? I mean where are these Democrats from Allegheny County? I mean they go to Harrisburg they never have any unity and they expect Philly and everyone else around the state to support us. They don't go together in one group I don't understand the logic of their lack of leadership. If they can't coalesce in all due respect to my colleague Representative Bill Robinson he is off into a tangent I don't understand because if he thinks the state legislature is going to support an affirmative action or could care anything about MBE/WBE participation, that is news to me. We have a better capability with the leadership of the Mayor,

Councilman Udin, Councilwoman McDonald, the URA, our executive order, we have a better chance of getting MBE/WBE participation by leaving it to be a local decision making process. I mean I am worried if he proposes something. Last time that came up affirmative action, they wanted to strip the Port Authority of any requirement to hire minorities. So this is about the last issue I would take up in hallowed chambers of the state legislature.

Mr. Udin:

Fortunately Councilman Ferlo was thorough in his analysis and I don't have to repeat the reasons why we need to be in support. But I was asked this morning about the comment made by Art Rooney and the Steelers. Really what it reminded me of was the comments that I heard when the suggestion was made that Art Modell might move the Cleveland Browns from Cleveland, they said no way. He is like a part of Cleveland he would never leave. I think that as we do the so-called analyses of the economic benefits of stadiums, etc. some of these so called think tanks ought to look at some of the cities that have lost professional franchises and see what prices they are paying to get back a second team.

See what the Cleveland Browns are paying to get a new franchise in Cleveland. Check with the people in Cleveland and see how sorry they are that they didn't act earlier to prevent the Browns from leaving and other cities like Baltimore and Saint Louis and Los Angeles that have lost cities. We should find out what the people who live in those cities experienced and what the elected officials experienced once they lost the teams? And try to learn from their experiences.

I did go to Harrisburg yesterday. I met with the Senate Minority Rep. Mr. Bodack with the House Minority Leader Mr. Dewesse, with the Appropriations Committee Minority Leader Dwight Ebons, with the Chair of the Legislative Black Caucus and six members of the Legislative Black Caucus. I met with the three African American State Senators, met with the Senator Jack Wagner, met with Senator Melissa Hart and got a pretty thorough education on what is going on.

It's a very complex and multi level set of issues going on. It's going to be a very close vote. It's not going to be easy even for the Governor with all the tools that he has in his candy bag. It is not going to be easy for him to get 50 or 60 Republicans to vote for this. It is not going to be easy for the leader Mr. Dewesse to get 50, 60 Democratic votes. They both need to come up with 102 votes. And it's not going to be easy.

First of all, let me just say that the presence of PUMP and the building trades union that they had and the rally that they had in the rotunda of the State Capital was very impressive yesterday and showed a lot of legislators how strong the citizens feel. They have been hearing from the lobbyist, but they heard from the citizens and the workers in the city. It was very effective and I think it did a great deal of good.

I was able to convince I think a good number of the people that I talked to that the MBE/WBE contracting agreements and assurances are in place. However, the assurances around minority participation and women's participation in

building trades in construction is not yet in place. It is not nailed down and it is clear to me number one that the Legislative Black Caucus has a sufficient number of votes to either make this deal or break this deal.

And it is also clear to me that the caucus will not support the deal unless they know that the African American and the women's community here in Pittsburgh feel they have sufficient assurances that they will get a fair opportunity for employment and contracting out of this deal.

I did inform them that I have received overtures from the building trades unions indicating that they are interested in fashioning an agreement that has monitoring built into it, that has enforcement built into it, a voluntary agreement not one that is imposed on them and that's a very good sign. We have to work very quickly as Councilman Cohen indicated. We have a week left. We have to work quickly to make that happen. It's my intention to get such an agreement written out, signed and in the hands of the legislators so that they know that we are all on the same page, we're united in Pittsburgh for this economic development that will include all of us under the tent. I will be working on that and would appreciate any input and participation from colleagues to help make that happen. Thank you.

The Chair:

You touched upon something I brought up about a year ago. The Rooney's never signed an agreement to extend their contract here. They have a two-year window of opportunity if we

were all focused on the Pirates. I think to the Rooney's credit, they certainly stayed low key, there was never a threat, never an indication all through the initiative all though it failed, they didn't threaten. I think Pittsburghers are so naive that everyone I talked to said the Steelers would never leave. Well guess what folks, if it's between them keeping the team and I don't think they want to see the 0 and 12 days we grew up with in the 50's. I don't think they are going to let that happen. I don't think we would support a team like that. So it's a business decision.

If it is not now it certainly will be in the future that they need a new stadium to compete. If they don't get a stadium they will be the only team in their league, their division that doesn't have a new stadium. I think we have all been focused on the Pirates and nobody is paying attention to the Steelers. You brought up a very good point Saint Louis lost their football team the Cardinals a couple years ago. They had to go buy a team and it cost them \$700 million to bring a new team back. Cleveland losing the Browns took the same ballpark figure, \$600 million. So I can see if this ever happened we are getting if you want to look at a bargain to keep the Steelers here you are talking about a \$200 million new stadium which one third is from them, one third is from the state and one third is from the hotel and the RAD tax.

Mr. Ferlo, I want to initiate what he said and if you gave me a blackboard I think I can convince 90% of the people this isn't a lot of money in the scope of things. This is a no brainer for us as city taxpayers. There is like no tax and the worse scenario which we don't pay attention to either if both of these teams

would leave, guess who be stuck with that white elephant stadium over there, the City of Pittsburgh and taxpayers only. It would be empty whether it be a minor league team or a soccer team or whatever else would want to go there.

It's ironic around Super Bowl time I know when we went to our first Super Bowl in '75 after we won my wife got the phone book out and called everyone we knew across the country. That is how proud we were and I know every Pittsburgher did the same thing. So, I certainly want to send a message anybody again repeating what Mr. Ferlo and you said, any Allegheny County or regional person they better pay attention. The deal isn't 100%, I don't like it. I certainly can change it or argue it. I think there can be more rent different structures, but the blueprint is there.

Anyone that would vote no in this region and they leave especially the Steelers, I guarantee they aren't going to be in office too long. So, I certainly would support sending a strong message to everyone around this region. If you want to stay in office, you better start listening to your constituents, even the guys who are carrying the signs who don't want Plan B believe if the Steelers ever leave, anybody who voted no I would love to run against that person.

So hopefully we send a strong message that we support the Steelers, the Pirates, and last but not least the Convention Center which you and I know packs hotels with fresh new money all the time. Money that we would never see if we had a bigger and better Convention Center, we certainly will need more hotels. It's unbelievable the terrible PR that just

started with a year ago how they handled it and where it has come now. But hopefully cooler heads and smarter heads and again urge the Governor, he had better twist a couple more arms and everyone in Allegheny County I have spoken to both Democratic and Republican once to make this work. So, somebody at the top has to convince them how to do it.

If some of them needs to save face, I guarantee you maybe you are hearing from the 20 people that are against it, but you are not hearing from the millions that are for it. I would believe half of this state and going into Ohio are Steeler fans. Certainly we want to keep the Pirates here. If you don't believe baseball is coming back, just look and see what happened with McGuire and Sosa baseball is coming back, it is going to be here for a long time. We would never get a team, we would never be able to bring a new team here if we lost these two teams.

With that said, I will give you the final word, Mr. Cohen.

Mr. Cohen:

Mr. President, I want to thank everybody for their comments, if this motion passes I would recommend that we draft a letter together, everybody see it and make any changes they wish to it and send it out. It would mean a refocusing of the City Clerk's Office to a certain degree. But we send it out first to the governor then to every state legislator in the House and the Senate.

The Chair:

When we win a Super Bowl we promise to behave much better than the

Denver fans did.

MR. COHEN moved to send a letter.

MR. FERLO seconded the motion.

Which motion prevailed. (**Mr. Ricciardi** voted no.)

The Chair:

Any other discussion?

Can I have a motion to approve the minutes.?

MR. COHEN moved to approve the minutes.

MR. UDIN seconded the motion.

Which motion prevailed.

MR. COHEN moved to adjourn the meeting.

MR. UDIN seconded the motion.

And on the motion made by Mr. Cohen, the meeting adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXIII

February 9, 1999

No. 6

Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLERCity Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, February 9, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

Will you all please rise for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

I hope in your prayers you will remember Ebony Patterson the young 17 year old Westinghouse High School student who was killed tragically on her way home from school.

With us today we have Shannon

Chavez, she is six years old in the first grade at Morningside Elementary. She's accompanied by her mother Patty, who works in our Public Works Department.

Shannon Chavez:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you, Shannon. We have a special gift for you.

Also with us I would like to recognize that the cameras can see Ms. Dorry Lundy from Zordenburg, Denmark and she's with us for three weeks and guess what she is here for? To go to eight Penguin games. She is a big penguin fan and she flew all the way here. When is your last game, tonight? Thursday will be her last game. She is a real Penguin fan. Welcome to Pittsburgh.

We have a special guest in the audience.

PRESENTATIONS

Mr. Ricciardi:

Thank you. Mr. President, colleagues, we have with us crime prevention officer Dan McQuillan. Thank you, officer for joining us.

**MR. RICCIARDI AND MR. DIVEN
PRESENT AND ALL COUNCIL
MEMBERS PRESENT:**

No. 1221 Whereas, the blood supply in the greater Pittsburgh Area has reached dangerously low levels due to recent severe weather conditions.

Whereas, some elective surgeries have been postponed due to this lack of blood supply.

The Council of the City of Pittsburgh hereby recognizes Zone 3 Commander Douglas Johnson, Lt. Dan Quinlan, and Sgt. Jim Retsch and Crime Prevention Officer Dan McQuillan for organizing a blood drive to be held at the Zone 3 Police Station located 1725 Mary Street on the South Side. The Blood Drive will be held from February 10, 1999 from 11 a.m. to 4 p.m. The Public is welcome and encouraged to participate.

MR. COHEN moved to approve the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

I think we should be very proud of our police officers in the City of Pittsburgh who recognized a shortage of a blood supply in our area. They're doing something about it that's very positive and proactive. I would like to ask our officer if he could come up and give us some details. This resolution is sponsored by Michael Diven and myself, Gene Ricciardi, and co-sponsored by all of my

colleagues. Thank you.

Officer McQuillan:

Thanks. Please members of the Bureau of Police really appreciate recognition's like this. I am accepting this on behalf of Commander Doug Johnson Zone Three, Sargent Retsch at Community Orient Crime Prevention Sargent, and also Dan McQuinlan. As the Councilman said, they recognized this need and I would like to invite and encourage anyone that can be there to donate blood tomorrow between 11 and four at Zone Three Police Station, which is located in the 1700 block of Mary's Street in the South Side. Thank you.

The Chair:

Thank you. We have two to be read into the record.

MR. HERTZBERG PRESENTS:

No. 1222 WHEREAS, Frank Schnelbach son of Frank and Judy Schnelbach is a member of the Boy's Scouts of America, Troop # 66 sponsored by Sheraden Community Presbyterian Church on Allendale Street, in the 20th Ward of the City of Pittsburgh; and

WHEREAS, Frank has satisfied the Eagle Scout requirements by earning the required amount of Merit badges in many fields; and

WHEREAS, Frank's Eagle Scout project consisted of organizing a group of people to scrape and paint 4,200 square feet of the wooden floor under the pews of Holy Innocents Church; and

WHEREAS, Frank's biggest concern was scheduling the painting crew and drying times around the many Weddings, Funerals and Masses at Holy Innocents; and

WHEREAS, Frank obtained donations from local businesses and residents for purchasing all of the paint and materials needed to paint the floor of the church; and

WHEREAS, only those young men who have been outstanding in scouting, exhibit only the highest ideals, have the esteem of their community and fellow scouts, and serve in a position of responsibility and leadership obtain Eagle Scout status, the highest rank in the Boy Scouts;

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh wishes to congratulate Frank Schnelbach on his recent achievement and commends him for his outstanding accomplishments in receiving the Eagle Scout Award on January 11, 1999.

MR. HERTZBERG moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

MS. MCDONALD PRESENTS:

No. 1223 WHEREAS, the Greater Pittsburgh Council, Boy Scouts of America will celebrate their 10th Annual Whitney M. Young, Jr. Service Awards Banquet on Saturday, February 6, 1999, at the Sheraton Hotel, Station Square; and

WHEREAS, the Whitney M. Young, Jr. Service Awards Dinner recognizes outstanding individuals who have developed Scouting opportunities and provides leadership to urban and at-risk youth. It is named for the late Whitney M. Young, Executive Director of the National Urban League from 1961 to 1971 and a recipient of the "Medal of Freedom", the nation's highest civilian award; and

WHEREAS, this years awardees include Dollar Bank, recipient of the Whitney M. Young Service Award and Mr. Jasper K. Evans, recipient of the Scoutmaster of the Year Award. Dr. Ronald E. Peters will be the evenings keynote speaker; and

WHEREAS, the Greater Pittsburgh Council, Boy Scouts of America, works in neighborhoods and schools to instill positive values in more than 43,000 area youths. Its efforts include special outreach programs targeting inner-city at-risk youth with activities promoting self-reliance, good citizenship and career exploration.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh salutes and commends the Greater Pittsburgh Council, Boy Scouts of America for their continuous commitment and support to the youth of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. DIVEN seconded the motion.

Which motion prevailed.

The Chair:

Now move to presentation of

papers.

MR. FERLO PRESENTED:

No. 1224 Resolution Further amending Resolution No. 781, effective January 1, 1999 entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvement Program," by reducing the Personnel-Engineering line item by \$108,540.00 and creating a new line item entitled "Non-Salary E & C."

No. 1225 Resolution Further amending Resolution No. 781, effective January 1, 1999, entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvement Program," by reducing the Transportation Improvement Program by \$240,000.00 and creating a new line item titled "Glenwood Bridge."

No. 1226 Resolution Amending Resolution No. 781, effective January 1, 1999, entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvements Program," by reducing the Transportation Improvement Program by \$125,000.00 and creating a new line item titled "Fancourt Street Bridge".

No. 1227 Resolution Amending Resolution No. 546, effective October 1, 1998, entitled "Authorizing the Director of the Department of Parks and Recreation to enter into an Agreement with the

Brightwood Athletic Association to facilitate the receipt and disbursement of grant monies received by the City of Pittsburgh from the Pennsylvania Department of Community and Economic Development, amending the title to allow the City to initiate the work, and to require the Brightwood Athletic Association. Funds for this contract (\$30,000.00) are available in the Special Parks Program Trust Fund, Account 526100, Fund 7314, Sub-Class 600, Org. 523000, Budget Year 1998.

No. 1228 Resolution Providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants in connection with the design of the Fancourt Street Bridge located at the western end of Fort Duquesne Boulevard and spanning the 10th Street By-Pass; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; at a cost not to exceed \$125,000.00.

No. 1229 Resolution providing for a Reimbursement Agreement with Allegheny County for improvements to City-owned facilities in conjunction with the Rehabilitation of the Glenwood Bridge by the County; at a cost not to exceed \$240,000.00.

No. 1230 Resolution providing for a Contract or Contracts, or the use of existing Contracts in connection with the renovation of Carnegie Library Branches for handicap accessibility and for the purchase of equipment, materials and supplies for said projects; at a cost not to exceed \$225,000.00.

No. 1231 Resolution authorizing the Mayor and the Director of General Services to amend the city's Minority Business Enterprise/Women Business (MBE/WBE) guidelines so as to allow a 25% minority and 10% female at the job site construction related employment goal for all city and authority contracts in excess \$250,000.00.

Which were read and referred to the Committee on Engineering and Construction.

MR. HERTZBERG PRESENTED:

No. 1232 Resolution Vacating an irregular portion of Weitz Way, between Brighton Woods Road and its Dead End in the 27th Ward, 1st Council District of the City of Pittsburgh.

Which was read and referred to the Committee on Housing, Economic Development & Promotion.

MS. MCDONALD PRESENTED:

No. 1233 Resolution Approving execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Chartiers Nature Conservancy, Inc. for the sale of Parcels 11 and 14, for \$1.00 said property being located in the 28th Ward of the City of Pittsburgh, in Redevelopment Area No. 24, Block 108 H Lot 200 and Block 108 R Lots 239, 240, 242, 246, 50, 60 and 64 -- Summerdale Street --Council District No. 2 (recreation area).---COUNCIL DISTRICT NO. 2

Which was read and referred to the Committee on Housing, Economic Development & Promotion.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bills were introduced, so the bills will be on the agenda this Wednesday.

MR. FERLO seconded the motion.

Which motion prevailed.

MR. ONORATO PRESENTED:

No. 1234 Resolution providing for an Agreement or Agreements with Agencies that operate Emergency Shelters for the homeless in the City of Pittsburgh, so as to provide for the payment of rehabilitation, maintenance, operation, insurance, utilities, furnishings, homeless prevention, and essential services of said Agencies, at a total cost not to exceed \$756,000.00.

No. 1235 Resolution Amending Resolution No. 445, approved May 14, 1991 entitled "Providing for implementation of a Residential Parking Permit Program (RPPP) in the Mt. Washington community pursuant to Pittsburgh Code Chapter 549 so as to expand the streets included in the existing Mt. Washington RPPP Area "N" so as to change the parking management plan which provides for the hours of enforcement to be from 7 A.M. - 7 P.M. Monday through Saturday for the north side of Grandview Avenue to be from 6 P.M. to 2 A.M. Monday through Sunday.

Which were read and referred to the Committee on Planning, Zoning & Land Use.

MR. RICCIARDI PRESENTED:

No. 1236 Resolution establishing the following fees for the Department's Swimming Pools Program, effective January 1, 1999 for the calendar year 1999.

Which was read and referred to the Committee on Parks, Recreation & Youth Policy.

MR. UDIN PRESENTED:

No. 1237 Resolution Providing for the issuance of a warrant in favor of Newcomer's Electric Contractor in the amount of \$2,800 in payment of installation of holiday lighting in Hazelwood, and providing for the payment of the cost thereof.

No. 1238 Resolution PROVIDING for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

No. 1239 Communication from Barbara Parees, Director of the Department of Personnel and Civil Service, requesting approval for John Turyan (a non-city employee) Pgh. Private Industry Council member, to travel to Washington D.C. from February 28 - March 2, 1999 to attend the 1999 NAPIC Forum. The total cost will not to exceed \$1,079.00 and is chargeable to and payable from the JTPA-1 Trust Fund.

Which were read and referred to the Committee on Finance and Budget.

The Chair:

Moving to unfinished business.
Any unfinished business to come in front of Council?

Hearing none, move to Committee Chair Reports, District One, Mr. Onorato.

CHAIR REPORTS

Mr. Onorato:

I don't have anything prepared in writing. However, we're still working on the same issue, which has been dominating the committee. That is the new zoning code and the new zoning code amendments which are working their way slowly through introduction to Council, then submitted to the Planning Commission for review, to get back to Council for us to have a Public Hearing and that process is happening as we speak.

There is another final committee review on Monday to finalize a handful of amendments. Just to make it clear so that you have an idea what is coming, there are around roughly 15 amendments. It isn't a matter of 50 that we are going to be going through, it's actually a small enough number that we can actually deal with. It's not to say that no other ones can come from the floor. These will be the amendments that come out of the so-called review committee that Council at that point will have to review and make a decision on. They are not coming over as a done deal; they're coming over as recommendations. You will know if it had unanimous support or consensus or there is a split among the committee but this body is the one that is going to make the decision on every one of those amendments and then we will just vote them up or down after the debate.

That's really what is happening in Zoning, Planning and Land Use at this time. Hopefully over the next 30 days as we move into implementation of the new code we can resolve this issue and then move into the next six months of just seeing how the code actually works. That's where we are.

The Chair:

Do we have a deadline for amendments?

Mr. Onorato:

There is an artificial one that we set because the implementation deadline is February 26 or fifth, where the code goes into effect. We want them all in so Council had an opportunity to debate the amendments before the new code actually takes effect. So that's what we are using as a deadline.

Mr. Cohen:

I want to take a moment to thank Councilman Onorato for his leadership on this issue. It is one that is very detailed and certainly requires a lot of oversight and I appreciate it.

I just want to bring up one concern that I have brought up the last time that the zoning code redrafting came up here. That is that we, I believe, we agreed as a body not to discuss and vote on those issues that Council has already discussed and voted on. And my concern that I expressed before has nothing to do with Councilman Onorato but I am still concerned that some of those amendments that might come up are amendments that we have already had thorough comprehensive discussion on and

already voted on.

Certain groups want to have not one bite, not two bites, but three bites at the apple on the same exact issue. I just heard this morning that the whole issue of deemed approval deemed denial is coming up again. If you recall, Council had ample discussion on that issue and voted on that issue several times. So my only concern is and would ask that Councilman Onorato address this not necessarily here is that we don't have the same amendments come up that we already voted on. I feel that's happening in the committee and I want to make sure.

Mr. Onorato:

I can comment on that. That issue came up but it's not part of the 15 amendments coming forward. I am glad Councilman Cohen brought that up. It would be helpful I know a lot of you have reputation on the committee. I really don't think it is fair to any one of my colleagues especially Mr. Cohen whoever called him and gave him that information as though that was coming up as an issue.

We purposely did not bring that forward because it was already debated by Council, and it is not part of the amendments coming forward. But issues come up at the committee that get discussed and obviously we don't want to eliminate debate, but we are focusing the amendments on new issues. So you can be assured that's the way we're going. Whoever contacted you, you can let them know that we kept them out of the amendments at this point.

Mr. Cohen:

I appreciate that. Thank you. Just very briefly, I know the Chair of the Zoning Board, Regis Murphy, circulated a memo on the deemed approval deemed denial issue. Somebody on this Council and whoever needs to tell him that that issue has already been addressed and resolved. I appreciate it.

Mr. Hertzberg:

Thank you. I have attended I think every one of the committee meetings accept one and we made it clear on at least two occasions that we were not going to accept any amendments that had already been submitted previously and acted upon. There is no doubt that the deemed approval deemed denial issue came up and was debated at length and those things will stay the way they are as far as I am concerned. Keep in mind too that any amendments to this ordinance are like any amendments to the existing zoning ordinance, the Planning Commission has to have a Public Hearing and make a recommendation on every one of those amendments. I believe they have already had their hearing. If they haven't it is going to be held very shortly.

So we will know exactly what the amendments are. I wasn't at any meetings where that deemed approval deemed denial issue was discussed and I will do my best to make sure those things don't end up in front of us again.

Mr. Cohen:

Thank you very much.

The Chair:

All right moving to District Two,

Public Works, Mr. Hertzberg.

Mr. Hertzberg:

Mr. President, the first item on my report is the snow and ice control program and they have implemented some new procedures to better address the needs of the residents especially within your Council District, Mr. President, in the 31st Ward which is the Hayes, Lincoln Place, New Homestead neighborhoods. For storms where there is little or no notice at all, the third maintenance division is set for the first response of the 31st Ward. Meaning actually the division that is in Hazelwood which mileage wise it's main facility is much closer to these neighborhoods than the fourth division. But if there is not a notice or little notice storm, it will be handled by the fourth maintenance division.

The salt capacity at the Hazelwood substation has been doubled and the fuel stations are now fully operational at the second and fourth maintenance divisions. If you will remember we were required to make changes to our fuel storage tanks and the timing on that was terrible. They were in the middle of doing that when we had the terrible weather.

Gas cards for alternative fuel sites have been issued to all five maintenance divisions and we can now load salt out of the county facility in the 31st Ward which is actually closer than anywhere else to get salt. So we now have an arrangement with the county where we can go right there in the 31st Ward to get salt.

As far as pothole patching, Public Works has been patching potholes since January 16th and Public Works has

expended approximately \$91,500 installing 386 tons of cool patch and will continue to patch potholes every day. At least ten trucks and 20 employees are working on that until it is under control. Public Works has ample supplies and materials to work on the potholes.

Premium pay with the snow and ice and the pothole work, in January the premium paid budget is in bad shape actually 59% of that budget has already been spent. \$405,000 premium pay has already been spent out of a budget amount of \$689,000. So Public Works is trying to evaluate different ways to deal with that problem to try to stay within the overtime budget for the rest of the year. They're looking at only authorizing overtime for emergency items. In the special events, they're looking at trying to find a way to have the staff work at them under their regular time allowance rather than overtime and trying to alter shifts so that people who have to work on the weekends will be doing it on regular time rather than overtime.

They're considering executing an entirely contractual street resurfacing program and eliminating our in-house commitment, which is something I have a big question about whether we even need to look at that, but they are looking at it. I don't know that I agree with that at all. Insure that another item evaluating is that only insuring that only critical need in their acting positions is utilized regardless of vacancies.

Environmental services. The fleet of refuse or garbage trucks as they are commonly known is being upgraded. Bids on ten new refuse packers were opened on Friday and five refuse packers were

recently refurbished.

Also in the recycling area there is a new concept being tried and experimented with 500 containers at non-residential stops throughout the city have been put in place for recycling pickup. There are standardized containers for recycling. Hopefully what they will do is they will cut down on back injuries, because they will allow the people that are collecting it, they have wheels on them, they will be moved close to the refuse truck by the wheels. Then there is a hydraulic lift that will attach to the standardized container and pull it into the refuse truck. So that the employees will put very little strain on their backs at all. All they have to do is wheel these things over.

In miscellaneous items. As spring approaches Public Works is beginning to look at the services needed at our different park facilities such as turf and ball field maintenance, lighting repairs, bathroom facilities, picnic shelters and court and playground maintenance.

And also we are beginning to plan the work to be done in the better weather on street resurfacing.

The Wall Step Fence Program, Park Reconstruction flex being guide rails and at the next meeting when I am called on to give a report we will report in more detail on those items.

Also as far as the vacancies in the Public Works Department, an update on that and our budget department has approved filling ten laborer vacancies, two truck driver vacancies and four tractor operator vacancies. Of the ten laborer vacancies that have been approved, six of those will be filled between the 15th and

22nd of this month.

And the others will take a little bit longer to fill but we expect to fill them shortly.

Mr. Ferlo:

Mr. President, a completely unrelated matter, but somewhat obviously with Public Works and I have been here 11 years I can't remember the times that I have actually discussed other than the infamous Director of Parks albeit the former director that I have actually spoken about employee's situations. I usually refrain. But I believe very strongly that the Director of Public Works has engaged in not only discriminatory action but employee action that was arbitrary an action that was capricious. As far as I am concerned engaged in an equitable manner as it relates to the suspension and I believe now possibly the termination of one of the supervisors. I don't want to mention names even though this individual was the subject of an article in the newspaper.

Councilman Hertzberg has asked I believe that we have some kind of Executive Session. He has made that clear to me. I would ask that we do that. I realize that is the prerogative of the administration, but I have a hard time believing that out of all the people in the workforce of 34,000 plus you pick on one individual who has at least 28 years of service I think with the city. I think I have worked with him at least 11, 12, or 13 years and if the episode in question is the comments made in the Post Gazette, that's even more perplexing. We haven't received any information other than folks from the community that are seeking to be supportive of the gentleman.

But I am really perplexed about this case and I really question whether or not any supervisor's informants are actually managed from the Public Works Department. Are there actual employee files where people have comments or some kind of disciplinary actions taken? Or does this one individual stand out so looming and so large warranting a suspension and now termination. I really question the actions of the director in this respect.

I hope that we do have this meeting. I was actually hoping that there wouldn't be a termination that whatever suspension would have been rethought based on the facts. Or maybe there are different facts I am not aware of. But there is not a lot I don't know about that goes on in Public Works and all other city departments. Again, if you are going to use this standard to suspend this gentleman, you would have to suspend about 25 other employees in the Public Works starting with the director himself, which is really where I think maybe the problem is in the first place.

Mr. Hertzberg:

Thank you. I have asked the President to schedule an Executive Session and it's something I am very concerned about. I have spent quite a bit of time trying to understand and investigate and get to the bottom of. It's a personnel matter though and that's why I have asked for an Executive Session but I am very concerned and am taking this very seriously. I am going to spend as much time as I need to spend to understand what is going on.

Mr. Onorato:

On a different matter.

The Chair:

On this concern there are a lot of pros and cons that came up. I think it is a personnel matter. Mr. Hertzberg has been on this since it happened. We have been in discussions so we will have, I am sure a lot of you have questions. But it's a personnel matter. I believe it should be held for Executive Session. I will try to schedule it as soon as possible. I will try to check with all of you so that most of you can be there. I think it is a very important issue that we want to address.

Mr. Onorato:

On a different matter. I don't know about my colleagues, but over the last two or three weeks I think somehow we have performed a disservice to the residents in the so-called perception that we're hiring 40 people for Public Works. My office has been swarmed with calls; people want to apply for these jobs. I am not blaming any one individual but I think the record should be set straight very clearly what exactly the city is proposing to? How many positions we are proposing to hire? Is it really six plus the additional ones coming? Is it 18 total? I know it's no where near the forty that got out there in the media somehow and whatever the number is, I think it would be nice if we somehow came up with a procedure maybe with the administration to figure out how we spread this around a little bit to qualified individuals who are spread throughout the City of Pittsburgh, throughout our districts.

There are a lot of qualified individuals that are calling all of our offices. I am sure it is not just your office. I am sure you all received these calls and I don't know, everyone who seems to call my office seems to think there are 40 new openings that are happening. Unless something has changed, if Mr. Hertzberg can address that, I would like to get it clear.

Mr. Hertzberg:

Only briefly I will try to go through it again. The current status laborer positions there is approval from the budget office, this has nothing to do with me. I wish I had control and could influence this process. I am just reporting on what is happening. And that is that the budget office has approved the filling of ten laborer vacancies.

Now the first thing that we do when we fill these vacancies is we look for people that want to transfer into those positions and there are going to be those that will transfer. I believe we may have as many as six transfers in. So that leaves really what will be filled from the general population is four positions. I think the number almost ten days ago was at least 300 applications and I bet the number is much closer to a thousand right now for what is four laborer positions.

There also is approval for two truck driver positions, which will be done a little bit different as I understand. The process is a little bit different for the two truck driver positions and four tractor operator positions also and they are still working on what the test process will be for tractor operators.

So as Mr. Onorato has pointed out I think there are not a ton of positions being filled. In fact all I can say really is that there are four that are now being filled that are laborer positions.

Mr. Ferlo:

I think I would even go one step forward. I think we are at the point with Public Works where we have at various times in the last decade with the three different Mayors and is very similar to the ongoing debate historically about the number of uniformed police officers budgeted versus the authorized number versus what we actually have on the payroll. That took ten years at some point to try to reconcile with three different Mayors and now the administration of finally was whited to a higher number, which now has to go back for review.

But it is the same kind of an argument with Public Works. If you look at the number of retirees that will -- the number of employees that will go off on retirement this year alone you may be talking about 20 to 30 Public Works employees that will leave the payroll. Now that's 30 that are going to leave the payroll in all different levels including the laborer class. You have supposedly 18 that the budget office has agreed to hire but of that 18 I think there is not more than four or five that are actually in the laborer class, six. So we still have a net loss overall operationally both with the laborer class and the other trade classes, employee classes, significant loss in the overall people power of the Public Works Department.

So I really think we have to revisit the whole issue. I think it's really the heart

of the issue to me is the actual budget situation. Councilman Udin has taken some leadership over the last couple of weeks to meet with the administration on this issue. But when we meet on that in the budget summit on the courts problem or anything else, I would ask that we revisit this whole issue of what we will actually have through the budget office, through the Mayor's leadership a commitment as far as fulfilling vacancies in Public Works. We're going to have by the year -- by September we will have a net loss possibly of 20 or 25 jobs in Public Works.

So we are not going to get any further ahead. We are going to have the same debate in January about snow removal in the year 2000 that we had this year.

The Chair:

I might want to call on Mr. Hertzberg and Mr. Udin. I realize I remember you had a commitment of 52 positions in the budget. Now maybe something has happened since then. I was under the impression that as we all talked about we upgraded all of our parks and spent \$5 million on all of our parks and if we don't have personnel to take care of them, we are really spinning our wheels.

If I can get back to the question, if we are hiring four people I understand and I have just been told so I don't have it verified but that they sent out 800 postcards saying they would be reviewing and hiring laborers. That's the inventory that they had and people who applied. I mean I have 20 good friends calling for themselves, for their kids, and all of us have the same issue. It reminds me, Mr.

Ferlo, when I think of your leadership brought, we used to advertise when we were hiring laborers, and everybody thought they were coming down to fill applications out, when we weren't hiring anybody.

It is really unfair to all those people to send them 800 cards when you are going to hire four people. I think the media picked up on our at least our plan that we thought was a plan to hire at least 52 people. If you looked at TV it looked like the McKeesport new plant is going to hire two or 3,000. So I think the public's perception is really that we were going to hire a heck of a lot more. If it is only four, then please let people know that there are only four openings as of now. But I think we have to get to the bottom of this.

Mr. Cohen:

I will be brief. You had said something happened in the interim and the thing that's happened of course is the city is not going to receive four million dollars that we budgeted for the magistrates court that this Council questioned whether that was real dollars if you recall during the budget proceedings. We are not going to be getting that \$4 million. Apparently the administration is not going to fill a certain number of vacancies. I know Councilman Udin or Councilman Hertzberg would be able to address this and address a process and response to this. But it puts us back into a situation that is an attainable situation, which is us not being able to maintain essential city services with the number of personnel that we need.

I believe that this issue has got to be addressed immediately and for us to take potentially drastic action to be able to

maintain city services which we just can't right now. That's what happened and I got this memorandum from Scott Kunka about this and I know that Councilman Udin and Councilman Hertzberg are working on it, but I think it has to be addressed immediately.

Mr. Diven:

First of all, I would like to thank Council President O'Connor for taking the time to set up these weekly reports on our committees. I think it has done a good service as far as informing Council what actually is going on. I can tell you over the last couple of months I have really lost a lot of confidence in what we hear from the Public Works Department because it seems like every time there was a problem they would find an excuse, blame that excuse until that excuse fell through. I will point to a couple different situations that I saw regarding the storm.

First, we were told that it was the lack of gas and then you talked to the General Services Director and they say that there were gas trucks going out to each division and they had the authority to use gas cards. When that excuse no longer fit, they said that the trucks were broken down. Then you talk to the General Services Director and they say well at no time was more than 10% of the trucks out of service for their fleet and that there were additional trucks that could have been equipped with plows.

Then we talked about the potholes the other day where the director said that they couldn't send someone out to patch potholes because they were down cleaning out the Mon Wharf. Well I sit on the ALCOSAN Board with the Director of the

Parking Authority and he informed me that there was only one city employee with a flusher down there cleaning that wharf out. So from the impression I got when we were at the Council table on Wednesday was that we had a whole complement of Public Works employees working down there to clean out the wharf and they were taken out of service of patching holes in the neighborhoods. Then you find out later that there was only one person with one piece of equipment.

So that's a problem and I think these Council reports of individual committees help to facilitate the truth to come out and I think that that's a good thing.

Another thing I wanted to ask Councilman Hertzberg regarding what was the part about the asphalt plant?

Mr. Hertzberg:

This is something I disagree with, Mr. Diven. What the director is looking at is the premium pay. What are we doing? We have spent \$405,000 out of a \$689,000 budget for overtime. So what are some measures we can take and it is believed that if we have an entirely contractual street resurfacing program, eliminate our in-house resurfacing crews that that will save money. I don't know any way on earth that saves money. It sounds like it costs more money from what I know.

Mr. Diven:

That is just one example of how these committee reports bring out information that have a direct impact on what our policy is going to be. I know for a fact that we have enough equipment

sitting in a garage to put three paving crews out on the street. I know from past experience we have been as much as a hundred thousand dollars cheaper per paving mile to do the stuff in-house than to contract it out. Now we're hearing them say as a financial reason we want to take a look at contracting out our paving services and it just doesn't make sense.

So I think that I have got a long way to be reassured that what I hear from the Public Works Department is accurate and factual and I think reports like these make sure that we do get the whole story.

The Chair:

That's the intention. Every report I have ever seen our in-house does it cheaper than outsourcing asphaltting our streets. So again, if that's a way to save money, it is beyond me how we can find these figures. I will ask Scott Kunka again, we have got to get to the bottom of this. If that's a way to save money or are we going to cut half of our paving down, that might be the other problem and believe me our paving needs --

Mr. Diven:

I would like to make a recommendation that we look at putting more in-house paving crews out. Would that be an alternative to contracting it out and paying more because all the financial information that I have seen regarding paving when we do it in-house we do it cheaper and we do it better and we have more control over the whole process. So I think that should be an alternative that should be thoroughly explored by our Budget Director so that when the time comes at least we can present the whole story instead of what Public Works wants

us to see like they have done in the past.

Mr. Hertzberg:

I think tomorrow that will actually come up. The ability to enter into contracts is on our agenda tomorrow and we can delve into that. I am supportive of the idea of not contracting out street paving as well. I know that would be a way to save money. I think by contracting it all out we are going to end up spending more money and that's something we need to talk about tomorrow and the amendments needed in that resolution and it has support of Council then that's what we should do.

The Chair:

I look forward to that tomorrow. Now move to reports of committees.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1240:

Report of the Committee on Finance and Budget, for February 3, 1999, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1213:

Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act no. 171 of 1984, entitled "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(A) Three story brick house requiring rehabilitation, being sold to Robert Warren Baumbach for \$23,500.00.00. Council District 1.

Which was read.

Also,

Bill No. 1139:

Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(A) 1426 Sheffield Street, 2.5 story brick house situated on a lot containing an area of 3,036 sq. ft, 21st Ward, Block 22P, Lot 245, being sold to Significance Partnership, \$4,800.00. Intended Use: Residence and/or Rental. Council District 6.

Which was read.

Also,

Bill No. 1160:

Resolution providing for the issuance of a \$4,527.00 warrant in favor of John Royster, 1345 Manning Street, Pittsburgh, PA 15206, in settlement of claim in which claimant's property was damaged due to a razing of a three stall brick garage by the Bureau of Building Inspection.

Which was read.

Also,

Bill No. 1173:

Resolution providing for the issuance of warrant in favor of C & M Contracting, Inc. in the amount of \$10,305.16 for the repair of a City-owned wall located within the Lower Allegheny Riverfront park (adjacent to the 10th Street By-Pass); and providing for the payment of the cost thereof.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills? Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

(Mr. Ferlo voted no on Bill 1160)

Bills have received the legally required number of votes and have passed finally.

MR. ONORATO PRESENTED:

Bill No. 1241:

Report of Committee on Planning, Zoning and Land Use for February 3, 1999, transmitting two resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 954:

Resolution approving a Conditional Use exception under Section 993.10(a)A(7) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the Allegheny County Court of Common Pleas, Office of Juvenile Probation for authorization to occupy a portion of the first floor of the existing structure at 5231 Penn Avenue as a facility for the Community Intensive Supervision Project; on property zoned "R3" Multiple Family Residence District, 10th Ward. (HEARING HELD JANUARY 19, 1999).

Which was read.

Also,

Bill No. 968:

Resolution approving a Conditional Use under Section 993.01(a)A(7) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, to Allegheny County Court of Common Pleas Office of Juvenile Probation for authorization to occupy a portion of the 1st floor of the existing structure at 5231 Penn Avenue as the Regional Administrative offices for the Office of Juvenile Probation on property zoned "R3" Multiple Family Residence District, 10th Ward, Council District 7. (HEARING HELD JANUARY 19, 1999).

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills? Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES **Nine** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

MR. FERLO PRESENTED:

Bill No. 1242:

Report of the Committee on Engineering and Construction for February 3, 1999, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1185:

Resolution providing for an Agreement with Peterson Consulting LLC to provide expert consulting services in the defense of a construction law suit against the City of Pittsburgh at a cost not to exceed \$50,000.00.

Which was read.

Also,

Bill No. 1188:

Resolution providing for an Agreement or use of existing Agreements and/or a Contract or Contracts or use of existing Contracts, for the renovation of Recreation Centers and Senior Citizen Centers; providing for the purchase of equipment and materials for said projects; at a cost not to exceed \$594,250.00.

Which was read.

Also,

Bill No. 1190:

Resolution providing for a Contract or Contracts, or use of existing Contracts for Construction of Handicapped Ramps in various Communities throughout the City of Pittsburgh at a cost not to exceed \$833,000.00.

Which was read.

Also,

Bill No. 1191:

Resolution providing for a contract or contracts or use of existing contracts

and/or an Agreement, or use of existing agreements and for the purchase of materials and equipment and supplies in connection with the Renovations of Various Play Area; at a cost not to exceed \$840,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Ferlo:

Mr. President, on the one bill regarding the services in the Law Department of \$50,000, I did attend an Executive Session Meeting this morning with the Law Department and Director Reginella from Engineering and Construction. I want to thank both the Law Department and Director Reginella. It is unfortunate that we have to incur this expense. But I want to thank them both for defending the city's interest against a contractor who I think is just being litigious and being unfair in terms of an outstanding concern from the construction of the Public Safety Criminal Courts Building.

I think we need to unfortunately expend these dollars. I think we will easily recoup them. If we don't adequately represent ourselves we have a significant exposure. But I think they have done a good job and I am pleased to see their tact in proceeding with this lawsuit in defending the city's interests.

The Chair:

Any other discussion? The bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES **Nine** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

The Chair:

Under motions and resolutions.

MOTIONS AND RESOLUTIONS

MR. O'CONNOR PRESENTED:

No. 1243 A resolution authorizing the appointment of Claudette Lewis as a member of the City Planning Commission, term to expire January 31, 2005.

Also,

No. 1244 A resolution authorizing the appointment of Nancy Schaefer as a member of the Personnel Appeals Board, term to expire January 31, 2001.

The Chair:

Is it the pleasure to bring these two in front of us?

Mr. Onorato:

Yes.

The Chair:

We will ask them at their convenience, to be here either tomorrow or next Wednesday.

Mr. Udin:

Next Wednesday.

The Chair:

Let me make two announcements. We have a Public Hearing today on the Home Depot. It will be televised at two o'clock. And Thursday morning at ten o'clock a televised Public Hearing on Pittsburgh Works.

Ms. McDonald:

Yes. If there is no further business, I would like to commend the community of Homewood and as well as adjacent communities last night for a very well attended community meeting. There were tons of people there. And I am glad that now there is fire in the belly of many of the residents to get something done.

I am pleased to report that in the break out sessions there were many ideas discussed including one idea that hit the paper and that's to call the Governor in. I will be meeting with certain officials and I

enjoy my colleagues if they want to join me on this. I think many of us have communities that are hard hit by violence, youth are afraid, youth are having problems. I urge you if you want to come along. I am going to be meeting with officials and we are going to have a bonafide proposal or proposals to send to the Governor's Office because basically the Governor's response is that let the local politicians come up with some ideas and we will talk about it. So we are going to come up with some very concrete ideas.

Another thing is the organization of a potential community policing where individuals will be trained by police officers no different than I think Bob is in Squirrel Hill and you're part of that. So I will be talking with you for sure to find out how it is done and monies for phones, equipment, whatever is necessary so that people who are not afraid to go out in the community go out in the community and be the eyes and ears. If people are watching I think that there will be less violence and less crime because it's no different than cameras on the North Side. I would like to know how Onorato got that up on the North Side so fast on East Ohio Street.

But we need instead of cameras, we need actually people to stand up, walk around, look, write things down. Stand on your porch and if there is -- I have said this and I don't mean it in reticule but if there is an elderly woman who doesn't want to go out on the porch, call my office. Maybe we will talk about a set of binoculars and you can watch out of your windows and write whatever it is down.

Now what to do with the information, that's a problem. A lot of the

community is in fear of who's going to get that information. Are they going to know that I gave that information out? Is there going to be any retaliation against me? What I am going to be recommending in terms of a letter to our Police Chief McNeilly is to consider designating one, two or more officers who already have established a good rapport with the community, that they can be detectives, I don't know, someone that a lot of the community would be able to trust. And only have those individuals have phones without caller ID. Give the community their pager number, so that at least the community knows that the information stays with one or two individuals and it goes no where else. That if they call anonymously it is not going to kick up on some computer screen who they are and then they are afraid well who is going to get that information. Is someone going to pick it up and say something?

So that's something that I would like to pursue, it is definitely not panacea and there is still going to be a lot of resistance to report things that are wrong. But I think that if we have people that the community can trust, I think the bottom line is the million dollar question is there anyone out there on the police force that the entire community can trust? I would say yes, there are many individuals. But we're going to try to come up with one or two or whatever. And I am going to run this by the chief and see if we can build up that trust.

What discourages me more than anything else about Ms. Patterson's death is the time element it took for people to come forward with information. There were 20 or more kids standing around and no one was saying anything I know dog

gone well a lot of them knew exactly what happened. They knew the person, they knew where he lived, and no one wants to come forward with information. People from the community know things they don't want to come forward with information. It's a real problem with Commander Freeman. He has expressed that to me, he is sometimes livid about this, because he wants to solve the crimes, he wants peace and order. He doesn't want blood shed in the community either. It frustrates him because we want to solve the problem.

So again, I am trying to come up with some ways. I would like to work with the Chair of Public Safety Committee, Mike Diven, to look at ways in which a community is actually in fear that they know what is going on and they're scared to report it or scared to do something about it. So the people who aren't scared that know when their time is up, their time is up, know your life is in God's hands. I don't care who you are, where you're at, if it ain't your time, it ain't your time. So, I am going to go out there myself if I have to police but those of us who do have more fear than I do, or some others, there are ways around that that everyone can contribute to policing our community.

Mr. Udin:

Thank you. I want to thank Councilwoman McDonald for the leadership that she is providing for the Homewood Community around this incident and also extend our wishes from Council District 9, certainly who share a great deal of those same problems, to work closely with you because solutions that you find will be useable in our district and

I am sure other districts as well.

I was glad to see the strong response that District Attorney Zappala gave to the intimidation that was attempted. As you know in this town we have several instances of witnesses not just being intimidated but having their brains blown out and that word gets around pretty quickly. That it's easy to intimidate the public and prevent them from cooperating with the police when some homicide or something like that happens in the community. But it requires a very, very strong response from the officials that that kind of intimidation will not be tolerated.

We are not going to live in fear like we are in some kind of encampment; we are just not going to tolerate it. I was glad to see the District Attorney come out in a very strong way in that regard.

I want to also mention if I could go on to another subject.

The Chair:

Anyone else have any follow up on this?

Mr. Ricciardi:

Thank you, it was very appropriate that we remembered Ms. Patterson in our silent prayers this morning. I look forward to personally working with Councilwoman McDonald on this issue because I think Mr. Sala Udin is correct and that is that we have to set up a mechanism for all neighborhoods where people receive support when they stand up and become witnesses.

As you know under the Witness

Protection Plan, which the dollars were increased under the initiative of Councilman Dan Cohen that's a very important program but at the same time that is sort of just a snapshot in time. But there has to be something after that. I think Councilwoman McDonald touched upon that when she said we have to build trust and even better trust between the neighborhood and the police officials. But I think we all have to stand with witnesses because in numbers is strength. I just would like to say for example under the leadership -- several years ago Michele Traficante-Balcer in the Arlington area that when we had a grave problem and when the people in the Arlington area were making certain threats, when we went to the District Justice Office we all went to the District Justice Office, all wearing badges and name tags. And I think there were 40, 50, 60 people and we carried that on under the leadership and initiative of District Justice Anna Scharding.

So I think what we need to do, Ms. McDonald is correct, she really needs to work in the dynamics of her own neighborhood. But when it comes to witnesses standing up and pointing the finger, not only do we need as Mr. Udin has mentioned the strong leadership and the resources of the District Attorney Steven Zappala and his commitment, we need all of us to stand up including this Council. Maybe during the deliberations and any judicial deliberations we should all go, the community should go. We should send a message out to those that try to intimidate witnesses that there are a lot of people.

I can understand witnesses being intimidated. I mean when it's all over in the evening, a lot of people including myself go home to our very safe

neighborhood or our safe homes, but some people are still out there and seeing the person that's intimidating to them. So we have to make sure that we are always there for their support in numbers. I really think that's a very, very important dynamic of all of this and maybe even during the proceedings.

If Ms. McDonald would put together a delegation to go to court to hear those witnesses, and stand by them, and I promise you I know a lot of people in my neighborhood will come out to that particular hearing. So if Ms. McDonald wants to organize that, I promise that I will bring people from District Three and we will stand next to Ms. McDonald and others.

Mr. Onorato:

Just briefly because I just want Councilwoman McDonald to know that she has my full support and we should be very clear that incident that happened the other day is not unique to Councilwoman McDonald's District. This has happened to all of our districts throughout the years. As far as I am concerned that child that was shot we lost one of our children, when I say ours, the community of Pittsburgh, this region and the responsibility for responding to the issue shouldn't fall on one individual or one individual organization. All of us should be part of it. I am there to help any way you want us to participate. Just let us know and I will be willing to do whatever I have to do time wise to make sure we send a strong signal that Pittsburgh is united on these types of issues.

The Chair:

Well, Ms. McDonald you brought

up help from Harrisburg, I could say our meeting that we had with the School Board and legislators has been reset again as a follow-up meeting, February 26, only in about two weeks, in the morning, so that might be something besides our budget concerns. City of Squirrel Hill we have a citizens patrol in fact ironically last week and I was at Rigor's (phonetic) Diner for breakfast and the person from your community a reverend asked about it. We were actually setting a meeting up to learn where we got the radios and things like that. So it is almost in motion already.

I had written down too, I wanted to echo DA Steven Zappala's strong support for the community that he will not tolerate these witnesses intimidation. I think that's a very clear message for his support. But also I commend Tim Stevens for his remarks to come out that he wanted the black community to rise to the occasion and knew who they have to look at. But I don't want anyone to use the word they because this child was a 3.5 honor student at Westinghouse High School, I don't care what color she is. She is a neighbor of all of ours, a citizen of Pittsburgh.

I am very concerned and upset it could be anyone's kid, relative, friend. If the police -- it is different because I live a door way in Hazelwood when we have problems down there, I went down one Saturday night and I took some police officers who didn't know where it was. They didn't believe it was Pittsburgh that's how bad it was. So we have to be a strong front to them. It is easy to talk, but once we leave and the police leave, if you live in that community, 10, 12, two o'clock in the morning it's easy for a lot of us who live in safer communities to say well why don't you come forward. We need to show

strong support, similar to the 911 issue. We got all the cameras and all of us went and it was a big PR day, but that's nothing compared to what happened here.

Ms. McDonald, if you need us, I am a little concerned about last night's meeting, I think all of us would want to be part of it. Not to show votes, just to show support for you. I think we sit there and listen to you, you are the leader of that community. Whatever we need we need to get in our cars, be there and I know when we come I know when I said to the cops when we have some problems in Hazelwood, we had two shootings in a row. When I said I am going to the door away, and if I get shot I guarantee you are in trouble.

So, they all followed me down. Believe me I don't want to get shot, I am not a big hero, and I am just as scared as the next guy. But I think if anything we have here is ours, Council positions can open doors for anything. That is what I like about being a Councilman. You certainly can bring attention to whatever issue you want. I think this should be the forefront of all of our initiatives. If we have to go to Harrisburg for extra help, extra police, extra support, let's rally behind Ms. McDonald and make sure it happens there and we don't forget.

Ms. McDonald:

I want to thank all of my colleagues for their support for the community because again we all basically share the community. We're City of Pittsburgh Council members, forget the district stuff.

But another thing is when you talk

about the Governor, there's been a number of ideas that have been tossed about and it's School Board member Randal Taylor that had recommended that the Governor come and visit. But there is a notion that we want the schools to remain open where there are no recreational facilities, it still is a safe place in any community. But there is a lack of funding basically to keep the schools open all the time. And it becomes a drain on the school system to always do it pro bono because the community group addresses them.

I had even thrown out the establishment of even a trust fund of some kind to keep just for that reason, to keep schools open in pockets of communities that there are no recreational facility or where there is such an urgency in terms of social ills that you have got to do something. And it is not spread across the city, they will only be in certain areas where I can call hot spots to maybe just keep the schools open during certain evening hours to keep the kids off the streets, just something.

It basically sparks a lot of ideas but I look forward to working with Gene Ricciardi who is Chair of Parks and Recreation and Youth Policy and as well as Council President O'Connor who sits on that citizens patrol which is an excellent idea and Diven and all my colleagues.

I will also say this, because of the distrust of police and what happens to information, my philosophy on this or rationale is that if you can get the community to seriously trust one or two, and these folks won't be subject to transfers they have to stay, they have to stay in that particular capacity. But it would give them a little more confidence

through working with one or two or more, more confidence in the police force. That's a big problem is that it's us and them and maybe it needs to start with just a small focal point and then it can possibly grow. And then a community does have a little more trust, if they can trust one or two maybe they will trust more than that. Maybe they will trust more than that. Maybe they will trust all the guys and gals who come out and try to keep the community safe.

Mr. Udin:

Another subject.

The Chair:

One other thing, I think there are so many things that we can do together with this district, every 18 year old kid whether he graduates or doesn't graduate could be a part of your plan to job applications all those things. I think we have to attack that community. We're going in there with Home Depot, I think that can start changing the whole culture there, the business district but we have to make all those opportunities available.

What Mr. Ferlo said, you know the job centers have to be there whether we start with Westinghouse High School or what. There are so many opportunities. I think we have to narrow in on it. There is a 600 million-dollar surplus in the state, let's give one community something.

Mr. Udin:

I just want to recall that several years ago a young man named Johnny Gammage was killed outside, actually right within the city borders by some

police officers from outlying bureaus and townships. A great deal of division occurred as a result of the officers not being brought to justice. And that is a wound that is still open and oozing in this community.

But I want to say that the most recent recommendations coming from the Coroner's Office that call for charges of homicide to be brought in, the cases of Housing Authority Officer John Charro and the City of Pittsburgh Police Officer Jeffrey Cooperstein, I think go a long way to helping to heal this community and make this city one city where justice is meted out fairly to all persons. I think it took a great deal of courage. I know it does for the Coroner to recommend homicide charges against a police officer. It will take also an even greater level of courage for the District Attorney Steven Zappala to accept those recommendations and bring charges and indictments of homicide against those officers. But it points to a systemic problem that I think we have to acknowledge, that we have to continue to be vigilant about speaking out against wrong doing even though it may appear to some that we are broad brushing the entire police department. We are not. We are simply trying to focus like a laser in on those officers who deserve to be focussed in on so that we will have a professional and fair police department.

So my congratulations to the Coroner. My hope is that the District Attorney will like mind do what he has to do to bring justice and that we look within the system of policing to determine what we can do to keep wayward officers from getting into our police force and when they are there we have to find out who they are and purge them out. But even more than a

Citizens Review Board, the Coroner and the District Attorney acting in the behalf of justice will do more to bring healing and cooperation between the community and the police than anything else I can think of, it is just about justice.

The Chair:

I hope the focus can go back, I hope we can put that to bed some day. I agree with everything you just said, but I hope the focus starts going on that kid that did the shooting and that kid that did the threatening. There are probably a hundred other kids out there with that potential to do something like that. The shooter I am talking about. How we can reach in so that five years from now there are no more kids like that in our city to teach them. We work with them and we do whatever has got to be done.

I agree I am just concerned there is so much focus on the bad cops, and there are bad ones. These two are bad, I hope they get their punishment. We have to start narrowing in on those kids and they are kids, these are 19-year-old kids, he shot somebody, he shot a 17-year-old. We have got to reach in and help them too. I just hope the focus can finally after these two incidents get off of that and get into that neighborhood and solve the problem.

Mr. Ferlo:

Unrelated issue. I hate to lessen the moment here because these are important issues we are discussing. But, Mr. President, when I start talking about state revenue money the state legislature as we well know yesterday and today is continuing debate on the issue of gambling of various sorts. And I think appropriate

this Council considers sending a formal resolution to the state legislature, both the House and the Senate and the Governor on this issue.

I specifically would like to request that we not necessarily take a position because there maybe some division in the House. But I hope we stand united on the issue of people's democratic right to express their view by way of referenda on the three proposals that are on the floor.

I wish though that they would just act yesterday on this issue of slot machines at the Ladbroke because the Ladbroke racing industry has been around for at least eight years to my knowledge in Pennsylvania. We are talking about a company that employs over 1,000 people just from the South Western Pennsylvania area. Many Pittsburghers actually work out at Ladbroke, at the Meadows or some of their localized operations. Their annual payroll is more than \$12 million that's as big as any big small company in the greater Pittsburgh area. And the industry says, at least if we believe their numbers, that there are some 35,000 jobs connected with the race industry in Pennsylvania, which I didn't know it was that many people.

I guess when you start adding up all the multiplying factors of concessionaires and grounds people and horse people and the public relations people and the like, it can be a very significant number. Over all much the same way that the multiplying effect happens with employment. They contend that there is a \$752,000,000 economic activity annually as it relates directly and indirectly to the horse racing industry.

I believe that the legislation should move quickly by their own action legislatively to allow Ladbroke to have what West Virginia already has. If you go to West Virginia, and again I want to say I don't gamble I don't happen to play the slots, I have been to Los Vegas once in my life. I actually enjoyed the shows and the food more than I did losing two or three hundred bucks at the slot machine. So, I am not a tee tottler here, a moralist talking about the issues. But I don't have a gambling problem, but I do realize that some people do.

I think they have a gambling problem notwithstanding the presence of a horse track industry already and notwithstanding the fact that we may or may not have slot machines, riverboat gambling or possibly the legalization of the video poker machines that are already in thousands of locations, already paying off the things that makes me most upset. As I have stated many times, we don't get anything in return from the activity that is going on.

So there is for the no dice crowd wake up there has been gambling as long as we can remember. There will be gambling legally or illegally for many decades to come. I would rather try to deal with it on a more structured and progressive way. And that leads me to my point, I think we should pass a resolution to the State Legislature asking them to forward to the voters for the May referendum three questions. However they decide but can we learn something about the Plan A disaster in terms of the phrasing of the question? If they are going to put the questions on the ballot, three separate questions I have already spoken to why I support the slots at the Ladbroke.

I would urge anyone to visit the parking lot in West Virginia and you will see that 60% of all the license plates are from Pennsylvania and Ohio. It doesn't make any sense at all that we're threatening the viability of economic industry here in horse track by allowing all the flight of revenue outside the state to West Virginia.

I know West Virginia needs income, but so do we. It just doesn't make any sense to me that they allow this activity in Delaware and West Virginia and I think we have our eyes completely closed. But if they are going to phrase the question, could they please allow that when people vote they will know ahead of time whether it is the slots at the Ladbroke or any notion of riverboat casino gambling, however you want to phrase it or even legalization of video poker machines, which are in every one of the 67 counties, in every licensed liquor establishment whether it be for profit tavern, every veterans clubs, moose elk, you name it, of any animal stripe. If it is a fraternal group they're supporting their existence right now on paying for the roof and the overhead with video poker machines.

Again, we don't get any of the income. So, I would please ask that we forward a resolution asking that we support the referenda question however they phrase it for the May ballot. But I would ask that whatever they do they put a formula on the ballot that would say that there be minimally some local revenue return. It maybe 25 percent, I don't know if we need to get into percentages. But if we are going to allow this enhanced gambling whether it be the race tracks or

the casino boats or the video poker machines, some percentage has to come back to that host community with it, be Pittsburgh.

If Pittsburgh has several thousand video poker machines, or has riverboat gambling we should get some percentage back of that income to help our operating budget. I would ask that given the states economy of the surplus, that at least 60% of all the money raised whatever profit sharing they have with the company, at least 60% go back to the state whether it be any form of the gambling I just mentioned, and be specifically dollar for dollar match back to senior or elderly property owners for tax relief under oppressive school board taxes.

Many elderly people don't even have children in the public school system any more. I would ask if they want this to win overwhelmingly, return 60% dollar for dollar instead of the state taking it for a bloated budget any ways. Don't give us that lousy tax break, that earned income tax, give me back \$40 keep the money and fix our damned bridges and roads. But in any event take 60% of that money back and give it to every elderly resident to relieve them dollar for dollar of their tax burden for property school taxes. You will have the passage of these referendum albeit non-binding, I think they will be overwhelmingly accepted. I would say at least keep 15% of the money that goes back to the state to support groups like gambling anonymous, other social services, self help groups that really should be funded any ways.

Because whether we want to admit it or not, you can look at the Super Bowl and recognize that a billion dollars was bet

on the industry. What do they think that somebody didn't lose their house because they happened to be at the Super Bowl event? Many people are hurt. It may be a more sexy one-time event with all the fanfare because it's the Super Bowl, but a lot of people are hurt whether you have Ladbroke or video poker machines or casino gambling. There are many people that are hurt because as a result of the Super Bowl betting. No one wants to talk about it. You know you put Jimmy the Greek on television, make him a super star but the fact of the matter is, there is a need right now to dedicate some state money for the self help groups.

So my motion is that we forward to the legislature and the Governor Council's request that they move to put these questions on the ballot in the May primary. But that they suggest some formula of localized tax relief for elderly property owners and local municipal governments that are hosting these centers of gambling activities.

MR. UDIN seconded the motion.

Mr. Hertzberg:

Friendly amendment. I support all of Mr. Ferlo's comments. The only reservation I have and I don't know maybe it doesn't need to be in this, maybe we're getting too specific but the concern is for existing local businesses, with any gaining that we protect our local restaurants our local hotels, all of our local businesses from what could be unfair competition from any kind of gaming operation. That is your junket type operations that they have in Las Vegas where you know you get there and all the food is free as long as you participate in the gaming. I know the

legislature is familiar with the problem, I know our Convention Visitors Bureau, which has supported riverboat gaming has also had those reservations. So whether that needs to be part of this or not, that is the only concern I have. Otherwise, I am 100% behind.

The Chair:

I am a member of the restaurant association, I think they over react because those riverboats the ones I have seen have hot dogs and a beer and a coke or something. They're not the elaborate Las Vegas all you can eat for \$6.99 dinners. So I believe if those boats are very vanilla because they want you playing the machines, those couple hour cruises, they don't want you spending two hours on a fancy dinner.

So I believe it's something they have to look at. But I believe what you are saying let's put the question out there and we have to trust that they work out the details later.

Mr. Ferlo:

Let's put it out there and have aggressive voters where this money is going to go. I am not for gambling if we don't see a return on where their money is going. I am not for gambling if it means just the state is going to go get an ante. I am for this if we get elderly property tax relief or we get some money back for our operating budget since we just got stuffed on the courts money. I am for this if we see a real return including some funding support for self-help peer group organizations that right now really need money to help people with their gambling addiction. If we aren't going to see the

return, then you know, forget about it.

The Chair:

As you alluded to, the Renaissance initiative failed because it didn't do what you said. They need grassroots support and there is no way to get the voters to support it more than helping seniors.

Mr. Ferlo:

If you tell elderly property owners in this state who have been burdened with property school tax and most of them don't have children any more in the system, and many of them still very much believe in public education, that they will get a dollar for dollar rebate and relief, they will vote for those three questions. We can move out of being Western Pennsylvania Kentucky and be Pennsylvania for a change.

Mr. Udin:

I just want to point out that on the same subject that the riverboat gaming referendum does have specific requirements in it that all funds going to the state are reserved for education. So it's not just a gaming bill it is a way of identifying much needed dollars for education. The Governor has already clearly indicated that he does not intend to put additional resources into education, yet everyone knows that the state's educational needs are sorely lacking. So I welcome the opportunity to find some resources from the riverboat gaming referendum that might be put towards education.

Mr. Onorato:

I have to just chime in here. The only way I will support any type of

legalized gambling it has to be a dollar for dollar reduction in the property tax and possibly the wage tax when it comes to funding education. It cannot just be a pot of money to add to education. It has to be dollar for dollar reduction.

I will go a step further, Mr. Ferlo, it has got to be a dollar for dollar reduction for everyone, senior citizens, the young couple that is struggling, that has taxes that pretty much means they have a mortgage for life on their property. It has to be a reduction. Our real estate taxes in this area are way too high. If you happen to live in this municipality, your wage taxes are way too high and 2/3 go to the school district. I am not saying we punish the school district, they should get a dollar for dollar replacement, but we should have property and wage reduced dollar for dollar. Then I could support legalized gambling because then it is a benefit to every taxpayer and it goes back into education. School districts are made whole we just don't take their money away and not replace it. But the burden and how we fund education is out of whack in this state and this has to be a reduction, not a 50% reduction, that Regional Renaissance vote failed for a lot of reasons.

One, it was an increase in tax on people. Two, there was only some tax reform, not 100% on the dollar. This I am saying has to be a dollar for dollar reduction. What we get in reduces the funding of schools for how we do it now because right now the system doesn't work and that is a way you will get passage of this type of bill and that's the way I can support --

Mr. Ferlo:

I was very explicit. I am not talking about increasing the pot. I am for increasing the pot, I think that should be done by the Governor and the legislature. My motion is that to relieve 50% or otherwise must go for property tax reduction. I use the phrase elderly property owners. The fact of the matter is we have a uniformity clause that we know if it is going to help anybody it has to help the old class of those individuals who pay school taxes, which are property owners regardless of age. So I want to be clear on my motion.

The Chair:

I hope that anything that comes also helps our budget, the City of Pittsburgh.

Mr. Ferlo:

I am suggesting that we talk about dollar for dollar reimbursement for individuals who are pressed by property taxes, to support the schools. I am saying that there should be some local dollar figure going back to whatever the host community is that is hosting whatever the gambling function is. I think it is legitimate that some percentage which every other state that has approved gambling has allowed some percentage back for gambling anonymous and other kinds of social service self help agencies on the issue.

The Chair:

Las Vegas is not the fastest growing city just because of gambling; there are no taxes. There are very little business, very little property tax, the casino's pay for everything.

Mr. Ricciardi:

I will be very brief. I will support and vote for the resolution today because I believe the people of Pennsylvania and the voters of our region should have every opportunity to state their views on gambling. I will tell you when if it does become a referendum at the voting poll that I will be voting no on all three. No, no, no.

I find it very interesting how we make the leap towards increase revenue from gambling to helping our education system, to lowering our taxes while the state legislators are sitting up there with a billion dollar surplus. Tomorrow they could help our public schools, they could help our parochial schools, our private schools through the voucher systems. They could lower our property taxes. We have a very strong economy and not because of what is happening down in DC or any big decisions that our State US Officials have made, but because of the private sector, the generator that is happening.

So that surplus is going to continue to grow. So just in short I will vote for the resolution today because I look forward to the voters of Pennsylvania and our region to measure, get a measure of what they think of gambling. I will be voting once it hits the voting poll, I will be voting against all three.

And just as a friendly amendment or part of the letter, I would like the Governor to let us know where all the lottery machines are in the City of Pittsburgh and Allegheny County. Where they are located, which neighborhoods and also what the play is at that particular

machine in terms of how much money is brought in from that particular machine? I will definitely like to look at the location of those particular machines to see which ones receive a lot of transient business, meaning that people are just maybe going through Carson Street to others and which ones are really strictly in the neighborhood.

It will be interesting to see where this money is coming from just from the lottery system that is supporting some of our senior programs. I noticed a lot during our discussion we were talking about self-help programs. So I think that we do agree that increased gambling is going to hurt a lot of families. So once again, I will vote for the resolution. I hope it loses at the voting polls however.

Ms. McDonald:

Yes. I have definite reservations about legalized gambling but I am very open minded to it. I will agree with Councilman Ferlo that it should be on the ballot. I think it should be on the ballot and let the voters decide.

The one concern though that I am going to ask Councilman Ferlo is that this resolution that you would like us to vote on and support you in, is the resolution simply to say that a hundred percent of the revenue will go towards property tax relief?

Mr. Ferlo:

I don't think it should. I was suggesting that to the extent that there is income generated, I would suggest that help the state reimburse property owners for dollar for dollar match for relieving

some of the school tax burden. I was also suggesting that the host community like the city get something back for our operating budget. Thirdly, that there be some, as every other state has done, that there be some support for gambling anonymous and other self-help peer group organizations that need some organizational funding to assist individual families effected by gambling addiction.

I didn't really break it down per say.

Ms. McDonald:

That is okay. Just to try to make some logic out of this. If you want to provide property tax relief in terms of school taxes you're really not raising the revenue or the budget over all for education. The problem in the state is there is not enough money, there is not enough money allocated for education, it is not at the top of the list. In fact, I really wish they would reprioritize nationally as well as statewide the budgetary priorities and put more in terms of kids and family and people and less in term of you know the Band-Aid approach which is bigger jails and more police officers.

The problem that I have with the resolution, I will abstain because I do agree with the principle that it needs to be on the ballot, but I don't agree it should necessarily be dollar for dollar property tax relief. Simply because you're not growing the pot of money for what you want. You want to grow education. If you go into, I have been to Las Vegas, and I can tell you something when it comes down to those slots, most of them are senior citizens, hello. Most of them are senior citizens. Now I don't have much compassion for a

senior citizen who is spending all of their limited income at the slots because it's fun and because they look to do that.

I don't mind senior citizens who have that luxury, maybe they are sitting on a nice nest egg, but there are a lot of senior citizens that really should not be there at those slots playing at the levels that they play. And to provide them property tax relief, no. They don't need to be there in the first place. So what you're doing is you are providing them property tax relief, giving them more money to what, gamble? So again, I think there is a lot of debate that needs to be at the table. I am not saying senior citizens are gambler abusers. I am not saying that. But let's be real as far as what will happen in gambling.

Mr. Ferlo:

I think you would concede that 80% probably are lower income elderly property owners who are burdened with school tax, are probably not the 20% of the elderly that you see getting on our buses to go. Imagine how Ladbroke feels every time a senior citizens bus passes them to go to other hills of West Virginia? I think most elderly don't have the income to play slots or gambling. Maybe once in a while they will buy a \$1 lottery ticket. But I would say that the norm basically, I would guess that 60, 70% of most elderly individuals especially those at the lower rung of the economic ladder are typically not the individual that is going to end up in Atlantic City, Las Vegas or playing the slots.

Ms. McDonald:

I agree. I agree with that. But I want to see more checks and balances and

I want to see a broad based discussion of the issue and for people to either put there biases but also put realities on the table and see what we're dealing with here. The other thing is that senior citizens are a very popular issue amongst politicians because they vote, that's our largest block of voters.

Mr. Ferlo:

That's why I want it to pass.

Ms. McDonald:

Senior Citizens are our largest block of voters. We treat them well, don't we now? We treat them right. But I will say this, the salvation of this city is to draw young people here, is to keep our young people here when they graduate from our higher institutions of learning to keep young people here who are raising their children, that is the salvation of the city.

So I don't want just revenues to go towards just senior citizens. I love them dearly but we have got to also grow this city too. There is a lot of debate, there are a lot of issues on the table and I agree with Councilman Hertzberg, we do have to take into maintaining our businesses.

So I look forward for the referendum, but I am going to abstain, Jimmy, because I don't want it to be worded such that dollar for dollar property tax relief to senior citizens. It's a bigger issue as far as gambling and what to do with the revenues if in deed it passes.

Mr. Diven:

I have a problem with voting for this. I, like Councilman Ricciardi said, I

believe the money is great and the money is something that we need to be focusing on in areas coming from the state. But I think and I don't want to claim to take any moral high ground here, but I think what happens at least from the information that I have read regarding legalized gambling, it effects the people who can afford to gamble the least, the most.

I think that when you institutionalize that it's almost an endorsement by the local government and the state government, which is going to prey upon people who can't afford to be gambling in the first place. I think there is a number of negative repercussions that come out of situations like that. We always hear about Las Vegas as being the model but you have to remember the majority of the people who come into Las Vegas are not residents, they're there on a week vacation or four days vacation. So they take their problems and they leave.

With gambling in the local community that takes an impact on the tool on that local community and I think that's something we have to be cognizant of when we start to have this debate. This isn't just something that is going to be free money for the City of Pittsburgh or for the state or for education, this is money that has a price tag and this is money that we are going to shift our focus. I know that and most of the cities where they have legalized gambling, there was a dramatic increase in white collar crime and check forgery and things of that nature that have taken a dramatic impact. I think that it's a big step and it institutionalizes those problems by condoning it from the state level.

I think that is something that we

have to be able to look past the benefit, which is the financial benefit and investigate how bad the damages are going to be on the other side when we talk about gambling.

Mr. Udin:

I want to check in with Councilman Diven see if he wants to band bingo?

I just want to make a point that if we extend this debate much longer the state will have already voted on all three referendums. They are debating it right now, so if we are going to do anything, it is going to have to be by fax.

The Chair:

Are they voting this week?

Mr. Udin:

They're voting today.

The Chair:

Why don't we simplify it? In reality if you remember about two years ago I took a trip up to Philadelphia to urge them to put on the ballot. In reality Philadelphia needs something to pay for their stadiums. We are that far ahead of them. I am sure this referendum will go through and go on the ballot. I am certainly supportive of putting it on the ballot. I don't know in my debating the whole issue if we dictate what you said. I agree with what you said but why don't we simplify it and say put it on the ballot for now. I think there is a lot of work that will have to be done in the interim what to do with the money.

Mr. Ferlo:

These ballot questions are non-binding referenda.

The Chair:

I don't know if we want to go into details because you certainly don't have unanimous support on where they are or what issue whether it be seniors or not. Do you want to just put in that they support the referendum?

Mr. Ferlo:

I think I will draft something that expresses the concern of the body about adequate public education which the state has never fulfilled their 50%. At the same time, I think we clearly want some property tax relief if there is a windfall and we want some local governmental support for operating budgets. I think we can express the concerns of the body.

The Chair:

So you want to do that now, you want to put something in writing today? I certainly support putting it on the ballot. Everywhere I go, at least let them vote for it.

Let them vote you know. Because I am sure it is going to happen in Philadelphia.

What is your pleasure?

Mr. Ferlo:

I thought I made an eloquent motion at the beginning.

The Chair:

You want to draft a resolution we can sign or do you want to --

Mr. Ferlo:

I made a motion earlier that was on the floor. Don't ask me to repeat it though.

Mr. Udin:

Let's vote on the motion.

The Chair:

You want a roll call vote.

Mr. Cohen:

Can you get Mr. Ferlo to restate the motion, please? I understand it is to put a referendum on the ballot, and to relieve all citizens of property taxes, well let's hear the words please.

Mr. Ferlo:

I thought I worded it to everyone's satisfaction.

The Chair:

Why don't we put it in writing and have everyone sign it this afternoon.

Mr. Udin:

Different subject.

Mr. Ferlo:

Are we going to vote on this?

The Chair:

I thought you were going to put it in writing and we will sign it.

Mr. Udin:

We will vote by signature. I just want to point out, Mr. President, the importance of the upcoming Public Hearing on Public Works. We worked very hard to get Plan B passed because of the economic benefits that will accrue to the city. But the most immediate economic benefit will be jobs. As we can see from the number of applications that are coming into Public Works for just six or four jobs, we have got a thousand applications. We can see that the City of Pittsburgh is in desperate need of benefiting from these Plan B projects and from other construction.

If we do not pass this Pittsburgh Works, I am afraid that the ones who will benefit will be suburbanites who do not live in the City. Pittsburgh residents will continue to stand around with their hands in their pockets while people come in from West Virginia, I guess after they finish at Ladbroke or down in the West Virginia race tracks come in and work. And, Pittsburghers don't get an opportunity to benefit from their own tax money at work.

So I want to encourage the city to join us at this Public Hearing on Thursday at ten a.m. when we will have the first Public Hearing for Pittsburgh Works. It is very important for those who need work for Pittsburgh.

Mr. Cohen:

Another issue, Mr. President. I just

want to announce a meeting tomorrow. There is going to be a meeting of all of the community development corporations and all of the community groups have been invited to this meeting as an issue with respect to cable franchise renewal. That is the establishment of community access networks all over the city to try to help bring technology to people who wouldn't otherwise receive it. Particularly moderate and low income citizens around our city.

Councilman Ferlo and Councilwoman McDonald attended a meeting that we had with the Bloomfield Garfield Corporation and some other community groups about this issue. It's very important when it comes to cable franchise renewal and that is really bringing the community into cable franchise renewal and into the technological future.

So, we would invite all Council members to attend if they are able to do so. It is tomorrow at two o'clock. It looks like it is going to be moved from the conference room into this chamber here because of the number of people that are expected to attend. Thank you.

The Chair:

This would include libraries and community groups?

Mr. Cohen:

It may, the Carnegie Library already has a program, which is a good one and we will talk about it tomorrow. But what this would do is help us put together a proposal to TCI to establish exact sites around the city for low and moderate income citizens to be able to

have access particularly to the Internet but also to technology. So that community groups can communicate with each other throughout the city. It is a real interesting way of promoting education in our city.

Mr. Ferlo:

Mr. President, as Chairman of Engineering and Construction I wanted to take the prerogative of inviting Commissioner Dawida and other commissioners to appear in Council Chamber to outline to us whatever capital budget they're announcing today to the extent that it has an impact within the City of Pittsburgh.

I think it would be helpful early on before Director Reginella or the administration start working on issues that we be appraised of what the county capital budget is, especially those projects that may effect the City of Pittsburgh. Whether it be roads, bridges specifically I believe there is a proposal that I believe would be in Councilman Hertzberg's District regarding the West End Bridge, the entrance the connection of the West End Bridge to 51. There maybe other county projects, I don't know if other things are planned along the 51 corridor.

I am not sure what is in the plan, but I thought it might be helpful maybe for us to have a cablecast televised meeting with the elected officials and their department leaders regarding the capital budget in the county as it relates to those projects that will be physically located within the City of Pittsburgh. So, I would like to make a motion that when I establish the Post Agenda that we cablecast it.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. ONORATO moved to adjourn the meeting.

MR. COHEN seconded the motion.

And on the motion made by Mr. Onorato, the meeting adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXIII

February 16, 1999

No. 7

Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER City Clerk
JOHN R. MASCO Deputy City Clerk

Pittsburgh, PA
Tuesday, February 16, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

Will you all please rise for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

Today we have a special guest Paige Cohen. She is ten years old in the fourth grade at Ellis School. She is accompanied by her father, Jeff Cohen, and naturally she lives in Dan Cohen's Council District.

Paige Cohen:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you. Paige, we have a flag for you. Mr. Cohen, you want to come up and take a picture with us?

PRESENTATIONS

Mr. Cohen:

Folks from the American Heart Association please come up. Members of Council, members of the audience, it's my honor this morning to present this proclamation for a special program that the American Heart Association is sponsoring. It is called a Race to No Place. They will tell you all about it, but they have stationary bicycles that will be set up at PPG Place on February 20th, this Saturday, that they already have over 500 people signed up to do this. And I think we should try to place a challenge for City Council to join this as well. Because I think it's something like 25 or 27 teams set up all on behalf of the American Heart Association. So without further ado, let me read this proclamation.

MR. COHEN PRESENTS:

No. 1245 WHEREAS, the American Heart Association is a national voluntary health agency whose mission is

to reduce disability and death from cardiovascular diseases and stroke; and

WHEREAS, in order to increase awareness about the dangers of heart disease and stroke, the American Heart Association sponsors the "Race to No Place"; and

WHEREAS, for fifteen years the Race to No Place has attracted thousands of stationary bike riders to participate in team competition to recognize the importance of regular exercise and maintaining a healthy heart while raising important funds for the fight against the number one killer in our nation - heart disease and stroke; and

WHEREAS, the 16th Annual Race to No Place will be held Saturday, February 22, 1999 at the Wintergarden at PPG Place; and

WHEREAS, the Race to No Place was organized so that all groups or individuals can be part of it and participate in a healthy and fun way to raise funds for AHA's research and community education programs.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend the American Heart Association and proclaims Saturday, February 22, 1999 as "Race to No Place Day" in the City of Pittsburgh.

MS. MCDONALD moved to adopt the resolution.

MR. FERLO seconded the motion.
Which motion prevailed.

Mr. Cohen:

I am very proud to be on the board of the American Heart Association. They really have been making a lot of progress towards eliminating this disease.

We have here this morning three people representing the Heart Association and the Race to No Place. First, Martin Winnoch who is the chair of Race to No Place and we will get Martin up here to say a few words, also Gary Santell who a volunteer of the committee and Dan Cashiato from the American Heart Association who is in the communications area.

So thank you all three of you for being here. Why don't we start with Martin? Please accept this proclamation on behalf of the City of Pittsburgh and tell us about the race.

Mr. Winnoch:

Thank you, Mr. Cohen. First of all I would like to thank Mr. Cohen. He's been quite active with the American Heart Association. Like he mentioned he served on the Board of Directors now for the Allegheny Division for several years now.

The Race to No Place is a stationary bike marathon at PPG Place where teams compete in 15-minute increments, everybody rides 15 minutes, pretty much everyone can ride a stationary bike and we raise money for the Heart Association.

Each year for the past so many years, cardiovascular diseases have ranked as America's number one killer and through events such as the Race to No Place we have tried to raise money to increase awareness that helps fight

cardiovascular diseases.

February is American Heart Month and we would like to invite everyone here as well as everyone at home to come and participate at our race this Saturday at the PPG Wintergarden. We have teams competing from six in the morning to six at night. Like I mentioned previously, all you have to do is jump on a bike for 15 minutes and pedal a stationary bike.

This is good because the Surgeon General's report recommends 30 minutes of moderate intense physical activity several times a week. Events such as the Race to No Place who have been instrumental in contributing to almost 25% decline in cardiovascular diseases in the past ten years. So it is through help, it is through the efforts of the volunteers such as myself and Gary Santell as well as other riders who have raised money to help fight this deadly disease.

I would also like to thank from the City of Pittsburgh where the race has been held for the past 16 years, Dom Costa who helps us every year with parking, street parking down there and also Richard Bruce who does a lot behind the scenes efforts to raise money and help us get some food and prizes for everyone.

And I would like to echo Mr. Cohen's challenge to everybody and to see City Council to come on down this Saturday if the weather holds up and we will be down at the Wintergarden riding bikes. Thank you.

Mr. Diven:

Thank you, Mr. O'Connor. At this time I would like to invite all the people

here from the police and community picnic to come on up and be recognized for the incredible work you performed last year and I know the effort that you are going to put in for this year's picnic. So if you want to come on up I know we have District Justice Ricky King from my district and District Justice Charles McLaughlin from the 19th Ward. We also have our District Attorney Mr. Steven Zapalla. We have the Chief District Attorney Detectives, come on up here.

First of all, I would like to thank everyone assembled here today for such hard work that they put in last year. Last year was the first annual, which we hope to be continuing and growing event sponsored by the law enforcement community here in Western Pennsylvania. And all the people that you see in front of you here today are people that really went above and beyond and volunteered their team and effort and did a fantastic job organizing an event that was unprecedented in Allegheny County and I think across the country.

The spirit behind it, it started from talking with a number of city police officers who expressed how they felt like they were only being seen when they wore their uniform as a law enforcement officer. And behind that there are many officers who volunteer their time working with kids whether they're coaching sports or after school mentoring or doing things that reach out into the community and show people they have a stake in the community and they want to be a part of it. So what we tried to do is set up an event on a large scale that would bring people together and showcase the volunteer work that members of our law enforcement community bring to our neighborhoods

every day.

It started out and it grew rapidly, we ended up having, I believe, over 70 law enforcement agencies represented that day, coming from as far away as Butler and Westmoreland, four counties in the Western Pennsylvania area. We also had about 15,000 people that took part in the afternoon and a lot of that had to do, well all of it had to do with the people that you see assembled here. They put a great deal of time and effort into organizing and making sure that things went perfect and they're police officers not event coordinators or people who have a working knowledge of parks and recreation.

So the job that they did was fantastic but knowing the background of them all just being regular everyday police officers, it was something that was phenomenal for anyone that was there and saw how much work and how much effort went into that day. With that I would like to read the proclamation.

**MR. DIVEN AND MR. O'CONNOR
AND ALL COUNCIL MEMBERS
PRESENT:**

No. 1246 WHEREAS, police officers from the City of Pittsburgh, Allegheny County and several surrounding Counties and Boros in Southwestern Pennsylvania came together to form the P.A.C.T. foundation (Police And Communities Together); and,

WHEREAS, this organization has been created by police officers to strengthen their community ties and give back to the community that supports them. The following individuals have participated to make this a success:

Chairman: Police Officer Frank Rende
Co-Chairman: Police Officer Eugene Grattan, Jr.

Co-Chairman: Special Agent Joe Diven

Officer Ophelia Cookie Coleman
Officer Mike Kunsu
Officer Frank Hartle
Captain Donna Best

Legal Advisors: Edward Grattan &
Thomas Santone

**District Attorney Stephen A. Zappala,
Jr.**

Assistant District Attorney, Thomas Swan
Chief Detective Terry O'Leary
Detective Richard Hogya

Pennsylvania State Police

Major Hawthorn Conley
Captain Coleman McDonough
Sargent Lapoto
Corporal Jennifer Brown
Corporal Drew King
Corporal Jeff Seeley
Corporal James Caranahan
Trooper Terry Hunt

Allegheny County Sheriff Department

Sheriff Peter R. Defazio
Chief Deputy Dennis Skosnik
Captain Robert Brasso
Captain John Tozzi
Sargent Jeff Sheldon
Deputy Carla Sweringen
Deputy Tim Skoog
Deputy Ed Werner

Allegheny County Police

Superintendent Thomas Sturgeon
Inspector Paul Wolf
Sargent Robert Clark
Officer James Wobby
Officer Jesse Start

Port Authority Police Department

Officer Joseph Smith

University of Pittsburgh

Officer Richard Troy

Pittsburgh Police Department

Assistant Chief Nathan Harper

Commander Anita Bryant

Commander William Bochter

Commander Dom Costa

Commander John McMahon

Lieutenant Dan Quinlin

Lieutenant Michael Hajduk

Sargent Jennifer Biddel

Sargent Becky Bassano

Sargent Shirley Epperson

Detective Michael Blake

Officer Laurice Jetter

Officer Chuck Hanlon

Officer Florence Hunt

Officer Joseph Arroya

Officer Pamela M. Lewis

Officer James Bassano

Officer Tom DeTemple

Officer Larry Huber

Officer Rich Ruffolo

Officer Corette Buggs

Officer Laurice Jetter

Officer Richard O'Neil

Officer Millie Johnson

Community Volunteers

Marlene Cassidy

Kelly Mareno

Marie Fischer

Joseph Crumb

Ray Hernandez

Cheryl Bodner

Housing Authority, City of Pittsburgh

Chief Frank Coppola

Commander Joy Pekar

Lieutenant Ronald Griener

Officer Don Mayer

Officer Mike Miller

Officer Chrissy Bruno

Officer Keith Miles

Officer Jon Gault

Officer Rich Hereda

Officer Sean Fuska

Officer David Clouse

Officer Sean Cassidy

Officer Jim Payne

Officer Jim Sippey

Aspinwall Police Department

Chief Charles Clouse

Castle Shannon Police Department

Officer Tod Erlich

Monroeville Police Department

Chief George Polnar

L.E.O.M.

William Burke

Ray Micknowski

Public Works, City of Pittsburgh

Michael Gable

John Somosky

District Magistrates

Dan Diven

Richard King

Charles McLaughlin

John Swearingen

WHEREAS, on Saturday, May 8, 1999, the 2nd Annual P.A.C.T. celebration will take place at Point State Park, bringing together many police departments, police officers and their families to reward those who unselfishly give, remember those who gave and to mourn those who died while giving; and,

WHEREAS, the celebration will include such festivities as a police bike patrol race through downtown Pittsburgh,

games and entertainment for children and adults, involvement by Special Olympics and much more.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby applaud P.A.C.T. in its efforts to honor fellow police officers and their families and to improve the relationship between police and the community and wishes them the best of luck with their celebration.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Saturday, May 8, 1999, "P.A.C.T. Day" in the city of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Diven:

Before I bring up Officer Rende and Officer Grattan and Officer Coleman, I would like to ask our District Attorney, Mr. Steven Zapalla, to step forward and say a few words. Having seen how much work these guys put into it, I can honestly say that the picnic would not have gotten off the ground without Mr. Zapalla's assistance. I know he, aside from providing contacts and links with law enforcement agencies outside of the City of Pittsburgh, he also provided a substantial contribution to finance the event.

With that I would like to give him

the opportunity to at least talk about his involvement and let him know how much we appreciate his help for the work that he did.

Mr. Zappala:

Mr. President, ladies and gentlemen of Council, fine ladies and gentlemen to my left, it's a pleasure to be a part of PACT. All too often what you hear about the law enforcement community is in connection with some tragedy that you read about in the newspaper. The ladies and gentlemen to my left and the other persons not here this morning or out in the audience are persons who are family, have families, moms and dads, people with children, people who are role models in this community, people that we can all be proud of, and certainly again the ladies and gentlemen to my left are those types of persons.

When PACT was first brought to my attention, and by the way Officer Rende, Officer Grattan, Special Agent Diven, Mike's brother, Officer Coleman to name just a few, they came up with this idea. When they first brought it to my attention I thought it was a great idea. We routinely by the way, we confiscate money from drug dealers. I couldn't think of a better use for those moneys than to reacquaint the ladies and gentlemen of the law enforcement with our children. It worked out very well last year; we were very pleased with the result. Substantial participation throughout the community and this year I think it is going to be twice as good.

As you can see from the ladies and gentlemen of Council who have supported this proclamation and who consistently

have given support to the law enforcement community and to this particular endeavor, there is no question in my mind it is going to be a tremendous success.

I don't want to take up much of your time here this morning, Mr. Diven, Mr. President. I appreciate the opportunity to have input into this and ladies and gentlemen thank you for letting me be part of the team.

Mr. Diven:

Thank you, Mr. District Attorney. Now I would like to ask Mr. Rende to detail some of the headaches that he suffered through last year to make this event a success. Also, I would like to point out that this is only a small representation of all the people that worked last year to put this picnic on. In here I have a listing of everyone by name, it is totaling over 90 names of people who really dedicated a lot of time and effort to make this successful. I think Frank you can speak to how much work it really was.

Officer Rende:

Thank you very much. Last year was exciting; it was time consuming on a lot of people in this crowd. Last year my wife was here, she is not here this year because she left me. But it was consuming; it was very time consuming.

I would like to thank Councilman Diven and Councilman O'Connor for their support and also Councilman Ferlo for the bicycle helmets, it really made a difference last year, DA Zappala with the money. It all started us going and the whole idea with this PACT was children and nothing else. Nothing else. Not race, not police, nothing. It was children. Letting children

grow up in a law abiding society and show them that policemen -- believe it or not no matter what you read, are the children's friends. We are people's friends. We want the kids to come up to us and talk to us.

We got our point across last year. It was a lot of work; we kind of made some growing pains with the event as far as the mistakes that were made. We had a lot of adult entertainment, we are cutting all that out this year. It is going to be strictly a children's event. What we need from City Council is to go out in your districts and talk to your community leaders and get them involved with us. We have a number that they can call, we need volunteers, we also need money too. So if you guys have your checkbooks, we would appreciate you slashing us a quick check before we leave.

But it is definitely for our children. Our children are our future. As corny as it sounds, it really is. And from the grow up with us together with the police and the children together, maybe we can make this community a great one, greater than it is. So I would appreciate your help.

Like I said we need community contacts, go out into your districts and talk to the community people, have them get involved with us. It's a great event. It is a great event for children and adults alike. And I can guarantee they will have a good time this year.

Mr. Ferlo:

Who do we make the checks out to?

Officer Rende:

PACT, P-A-C-T, that is all it is. We are a non-profit organization. We have bookkeeping from the DA's Office, we don't touch anything, it is all checks and everything is above board and that's the way we want to do it. We would appreciate any money you can get us and any publicity. The news people, I am going to be pleading to you, every time you pick up a newspaper it's not good for the police. We appreciate a little bit of coverage on this, front-page maybe. Give us a dig. I appreciate it. But thank you for your time and hope to see you down there this year.

Mr. Diven:

I would also like to ask Officer Coleman if she would like to say a few words, if you would about the event. I know she has got a speech. I can tell you she was one of the ones who kept Frank in line and made sure that everything went off without too many hitches last year. We appreciate your work.

Officer Coleman:

I guess I am the senior citizen of the crowd now. You know community problems are our problems and our problems and community attitudes are our attitudes. We are in this together. Engaging people within our community and the performance of our duty, we work actively to become a part of our community. By being a service and getting involved with community affairs. I have said over and over again, we must put an end to the us against them or we against they, mine and yours, and thinking. This type of thinking obstructs the efforts to have a cooperative joint responsibility for fighting crime. And in this place I

would like to just one time for it to be a total we, are in this community together.

That speaks volumes because you know so often we get put into different situations as police officers. As police officers we have taken an oath that is under the constitution which states that we will serve and protect even those that are non-law-abiding citizens. And we do that and also to keep in mind that we uphold, we uphold the ethics and the values and we do not comprise those in doing our jobs.

I would just like to say that I am so glad to be a part of this organization. Because when I walked in, it wasn't about Cookie Coleman, it wasn't about Frank Rende, it wasn't about Eugene Grattan, it was about let's see what we can do for the community as a whole. And I will be here until you all get rid of me.

Mr. Diven:

Officer Grattan you want to say a few words?

Officer Grattan:

We just want to thank everyone. I know I am being a little repetitive here, but from the upper command staff of the City of Pittsburgh, you see some commanders, Assistant Chief Harper behind us, as well as many patrolmen and the District Attorney's Office, we can't thank you enough for being apart of this.

Again, it's a we organization and we need everyone out there to help us. To make this new day with all the other added things that we have, make it special for our community. Make it more worthwhile.

Make it more meaningful and let's stop all the BS out on the street, that is the bottom line. That's it. Let's get across and amend the bridges and start again a new. Thank you.

Mr. Diven:

Colleagues, one of the reasons why we had this group together here today before -- May eighth is a long way off. We wanted to get everyone together and let you know that we just started the kick off plans and we're putting it in high gear to get the picnic organized. I am sure during the next few months there is going to be a number of things that we as the City Council body can do to make it a little easier for them to continue the great work that they're doing.

So I am sure we will be coming back to all of you individually and asking for your support and your help in building links to the community. Your help designating some funds from the city to help them with their job and also with any of the obstacles that we might run into regarding the use of Point State Park on that day.

So we think that by having everyone here and showing how much work that they put in last year and how much work they are planning to put in over the next few months, it would be a lot easier to get your support to make sure that this year this program grows and expands. Hopefully I would like to see 20 years from now we can look back and see this as a model for the rest of the country about how we can bring people together and solve problems as individuals and not as anything else.

And so with that I would also like to recognize constituency from the Pittsburgh Housing Authority Police. They were very active in the last year event with the finger printing ID things they put together to have kids have a packet of information in case the kids were ever missing or abducted the information was on file and parents had copies of that. We appreciate the University of Pittsburgh, UPMC also provided us with a great deal of financial support. So these are the people that --

Mr. Ferlo:

Better introduce the two judges here.

Mr. Diven:

I introduced them on the way up. We have got my judge -- they are actually from my Council District, so I have to do that. Judge Ricky King, Judge Charles McLaughlin. I would want to keep them happy obviously because they represent my neighborhood.

But I would also like to thank Council President Bob O'Connor. I know last year when we started out we were in a position where we had dinner with a couple of the police officers and they came up with the idea. Bob bent over backwards to make sure that the city had the ability to help and provide these guys with the resources that they needed. We want to thank all of you. We look forward to the great work that you have done in the past and are planning to do this year.

Mr. Ferlo:

I am not sure if that is the

Marathon weekend or the weekend before is marathon weekend?

Mr. Diven:

I believe it is the weekend after the marathon. It is the week before the Children's Festival.

Mr. Ferlo:

If there is any effort you can make, I mean we have a lot of active groups in my Council District that work with all the officers here. I think a lot of Block Watch Committees would be helpful if you can let them know when the plan meetings are or we would like to plug in. We have a lot of active groups in all the seven neighborhoods that I represent.

Officer Rende:

We are going to have a phone number they can call.

Mr. Ferlo:

I would like to kick off with a \$1,000 pledge from my Council District from my account.

Mr. Diven:

Anyone else?

Mr. Ferlo:

I was hoping it would be a challenge.

Mr. Diven:

Well, I am going to match you. I will match you.

Mr. Hertzberg:

I wanted to comment on the PACT picnic last year. I really enjoyed being dunked in the dunk tank in the cold water. I think the Mayor's son really enjoyed putting me in there. I will match the thousand and I will also volunteer to do that dunk tank again. See if you can get that water hotter.

Mr. Diven:

Anyone else?

Mr. Zappala:

If we're going to match checks, why don't we start with \$15,000 and see what we can get? Where we go?

The Chair:

I would like to as Frank or Gene said and you said, there are four or five of us together for lunch I think in March of last year. They said they wanted to do this huge picnic, Allegheny County include everyone and it really came from the heart because I think Frank said it best.

He was concerned when he would go into a restaurant that the kids, he didn't have that feeling that the kids new what he was all about and really had that bonding that maybe years ago they did. And he was concerned about that. Especially a lot of negative publicity that the police were getting and that was his major concern because he said Eugene, you see his daughter is here, they were concerned about their relationship with the kids. Because of their own kids because how they saw it, they wanted a bonding.

When they said, you said you only have two, three months to do this, time wise it was almost impossible. But they really rolled up their sleeves, DA Zapalla jumped in full force, all of our colleagues on Council as soon as we approached all of you. Really gave it an effort. Cookie, I think again this is such an effort and we have been talking about it on Council if you don't already know for the last couple of weeks. Let's make this and Mr. Ferlo I think that's a great idea, all of us bring our neighborhoods together. We just want to bring kids down to Point State Park to have fun and to meet the police officers. That's what it is all about. There are no hidden agendas, no political agendas. I think it is remarkable what you have done. And just not to be outdone by my colleagues, I will donate \$1,001.

Mr. Onorato:

First I want to thank everyone. I know Councilman Diven talked to me last year, or year and a half ago when this all started. I will be glad to be supportive of the whole organization. I also want to thank everyone here and the officers that are not here today that are out working. I deal with you all the time within my district, I know Cookie is over in my district a lot of times too and we have a lot of events going on. My zone works closely with my community works and I really appreciate that.

Hearing the discussion of the funding and hearing District Attorney Zappala's \$15,000 that he put in, Councilmen, I feel very confident as opposed to each of us trying to raise a thousand here, that we could put together one bill that we could all endorse that

could be at least \$15,000 to match his. Why don't we do it that way? That's something in our budget a lot of time, \$15,000 on one hand where it is insignificant to the total operation of our budget. I believe there are certain things that we can pay for that go a long way for the price of the dollar and \$15,000 for something like this and what was the total count again last year? How many people showed up?

Mr. Diven:

I believe over 15,000.

Mr. Onorato:

And you are expecting how many this year?

Officer Rende:

Hope to double it if we can.

Mr. Onorato:

Hopefully double it. The one point I heard earlier in addition to if we can match the 15, which I am confident we can do. I think we can put together a bill that we can all support is that the media has to step forward on this one. We joke about it, but they have to step forward with it.

This sensationalism that goes on and not that they shouldn't cover that, but they also have to show that the 99% of the times where things aren't going wrong has to be exposed also. That things are going right on a daily basis in this town, that never gets covered. Because you're doing the right thing and that is not news worthy. This sort of brings to the attention that hey listen there is a lot of good out there that is

going on and we want to make sure it gets the attention that this isn't happening just on this day. This happens every day 24 hours a day in this town. We want you to know we recognize that. Thank you.

Mr. Cohen:

I want to join in the chorus if I could. First of all, just to thank our Public Safety Chair, Mike Diven. Councilman Diven had just been elected, in fact he hadn't been sworn in for very long before he dove into this project. I think he's done it with an incredible amount of energy and enthusiasm. So we very much appreciate his efforts as well as Council President O'Connor's who really kicked this off for us.

I guess what struck me when I went to the picnic with my son last year, four year old son, is that once we entered Point State Park, all politics were left behind us. And when my kid saw the petting zoo and went running towards the goats and dogs and other animals that were there, he didn't care what kind of politics were going on in the city. He just came to have a good time and to see police officers. And in a positive light that they deserve to be seen and to recognize that police officers are also fathers and mothers and sisters and brothers and family members. That is so critical a message I think to the City of Pittsburgh.

And for you to take it upon yourselves voluntarily for people who are watching, they are not getting paid to do this, but to take their own initiative to put together this incredibly successful project to bring the community and police together is something that really deserves tremendous recognition. So I want to thank you very much.

I know that this picnic will be even more successful this year. I look forward to attending. I would rather not be dunked because that was quite cold last year. And I never figured out how to get back on the seat in order to be dunked again. I know Councilman Hertzberg is better coordinated than I am. But anything that I can do to help, I was going to suggest what Councilman Onorato suggested which is we all join in together to give a financial contribution to certainly match the District Attorney, that's a good challenge for us and I look forward to being there. Thank you very much.

Mr. Ferlo:

Councilman, my thousand was a dollar for dunk for each one of my other colleagues.

Mr. Onorato:

You just made it 16,000. Thank you.

The Chair:

Like most of you, I would certainly like to get involved but I passed the baton right over to my assistant, Marleen Cassidy, who does all the work. She is Frank's sister.

Ms. McDonald:

But I thoroughly enjoyed the event. I think you treated all the people, all the elected officials with the greatest you know very gracious to all of us. This year I do anticipate it is going to be bigger. And I think we are going to have good weather again. Remember last year, we

were sweating that and the weather was absolutely gorgeous.

I would like to as soon as you get the phone number, I think many people in the community as well as us would like to know how we could volunteer in various ways, how other groups could help. I know that this is you know the police, this is you all's event but there are a lot of people out there that would like to help.

Another suggestion I would have is that there would be youth. Maybe youth that are marginal, you know they're not little angels, but they need to be able to work with you all for a day, volunteering to other community members just like you guys. Side by side. So it's an idea that I think would be good. I would be more than willing to work with you on that. And again, you can look forward to me and let me know. I just won't do the dunk tank, that's the only thing. Anything else I will volunteer.

Mr. Diven:

I have to mention Martin Bronze from Special Olympics, if you would like to say a few words? This is one area where we are growing this year is the Law Enforcement Torch Run. I want to acknowledge him, I know.

Officer Rende:

We're going to tie in with the memorial on the North Side the torch run all on the same day.

Mr. Bronze:

Thank you very much. We're very happy to be here as part of the Allegheny

County program. Quite simply the Law Enforcement Torch Run consists of 20 runs around the state of Pennsylvania. Last year we only had seven runs, we upped it to 20 this year. It involves all levels of law enforcement, the Department of Corrections, everyone in between.

The dates are quite numerous around the State of Pennsylvania. Last year 500 officers, this year we're going to be well over a thousand. This program the Special Olympic Torch Run involves 70,000 officers around the world to raise funds and awareness for Special Olympics. The way they do it is by doing runs, the second part is by developing shirts such as I am wearing. This year's theme, continued theme for the next two years will be the community heroes.

And from what I have been hearing, what a better fit than with the program we have here the picnic in the park. So, we're excited to be here. I want to thank Frank Rende, Gene Grattan for the invitation last Tuesday to attend the meeting. We are excited and I look forward to seeing you all on May the eighth. Thank you.

Mr. Diven:

Additionally, I would also like to recognize another one of my constituents, the Chief of District Attorney Detectives, Chief Terry O'Leary. I want to mention him. Also, we would be remiss if we didn't mention the contribution of the Sheriff's Office, Sheriff Pete DeFazio put forth and his commitment to this picnic. I know he couldn't attend this morning but he has worked very strong to put a full complement of sheriffs involved in this picnic.

Mr. Udin:

I want to again express my own appreciation to all the officers that have come forward in this activity trying to close the gap in relations between the community and police officers and to show more human side and a human face to the children and to the community. Especially the work of District Attorney Zapalla and Cookie Coleman who worked tirelessly in this effort.

This is not the first time that they have stepped forward to try to do mending of fences and building of bridges and I want to count myself among the supporters of your efforts. I hope that they will move from this effort to higher levels of making this a single city that we can all live in comfortably and happily. Thank you.

The Chair:

Can we all get a picture?

We have several to be read into the record.

MR. UDIN AND ALL COUNCIL MEMBERS PRESENT:

No. 1247 WHEREAS, the United States Postal Service, Pittsburgh District regard diversity as fundamental to business success and to achieving our corporate goals of employee commitment, customer satisfaction; and

WHEREAS, this Diversity Development Committee within our Pittsburgh District is committed to the creation of resources, programs and policies to create an environment which

accepts diverse characteristics, such as, age, neighborhood, birthplace, age, gender, education, and race effecting community Postal Service throughout Pittsburgh's district. The Pittsburgh District of the United States Postal Service will work in collaboration with craft, the National Alliance of Postal and Federal Employees, management, unions, community-based organizations, educators, and governmental agencies to attain solutions in communications; and

WHEREAS, this Diversity Development Committee is committed to identifying barriers to upward mobility of all employees, and ensuing that various organizations including, but not limited to, people of color, women, and people with disabilities are aware of these activities.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh declares February 20, 1999 as Diversity Awareness Week in the City of Pittsburgh.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 1248 WHEREAS, twenty-five years ago, Gene Adams founded the Blessed Sacrament Tournament in Erie, Pennsylvania, playing a vital part of Blessed Sacrament Athletics; and,

WHEREAS, Gene Adams not only served as Athletic Director and Coach, but was very active in the Blessed Sacrament Ushers Society, of which he was President in 1995. He also served as Chairman of the Erie Diocesan Board of Athletics; and,

WHEREAS, due to his ongoing dedication to grade school basketball, Gene has given teams from several areas

throughout the State of Pennsylvania and New York an opportunity to compete in the "Erie" Blessed Sacrament Tournament; and,

WHEREAS, the "Erie" Blessed Sacrament Tournament was re-named in 1999 to the "Annual Gene Adams Bulldog Tournament" in honor of his dedication to the program; and,

WHEREAS, the following teams participated in the 1999 Tournament:

Saint Rosalia Panthers, Pittsburgh PA

Blessed Sarament Bulldogs, Erie PA

Saint John Panthers, Girard PA
Saint Alphonsus Flames, Wexford PA

Saint Boniface Braves, Erie PA
Nativity of our Lord Warriors, Orchard Park NY

Saint Malachy Bombers, McKees Rocks PA

Saint Mary's Cvaliers, St. Mary's PA; and,

WHEREAS, Gene Adams had been an excellent role model to all children, his unselfish dedication to the youth that had participated in the Blessed Sacrament "Gene Adams" Tournament truly made a difference in their lives; and,

WHEREAS, Gene Adams helped to develop confidence, respect, discipline, maturity and sportsmanship that will stay with the children throughout their lives; and,

WHEREAS, Gene Adams earned the respect of the youth of the Tournament, but he also earned the respect

of their parents, teachers, coaches and all of those who knew him.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the important role that Gene Adams contributed towards grade school basketball; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Friday, February 12, 1999, "Gene Adams Day" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolutions.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

We have Meir Rochelle Pheffer please come up. We have Meir Rochelle Pheffer who is the Auditor Supervisor from the Pittsburgh Public Schools, Tom Flaherty's Office. You see him quite a bit in the lawsuits and running around. He does an excellent job. But I am really here to salute Yeshiva Schools.

Just in case you don't know I have three nieces, Anite, Oralee and Adina, and I hope you are all watching. I will get them to watch the Council meetings because of this. It's a wonderful school and I am very, very proud to be a supporter of Yeshiva School, especially the girls school. The boys school is good, but the girls school, I have three there.

I will read this resolution but I have

been at the competitions I think last year's voice competition it's amazing what they do. I will let you explain some of the competitions better than I would.

MR. O'CONNOR, MR. COHEN AND ALL MEMBERS OF COUNCIL PRESENT:

No. 1249 WHEREAS, Yeshiva Schools instill a sense of belonging in the community which gives students a firm grounding and allows them to grow with the knowledge that they are contained within a safe and loving environment; and,

WHEREAS, since 1997, the Yeshiva Girls School has competed in the North American Girls' Sefer HaMitzvos Competition for elementary schools; and,

WHEREAS, the Yeshiva Girls School of Pittsburgh is hosting this year's contest on Sunday, February 21, 1999, for girls from 5th to 8th grade; and will include four finalists each from eight schools throughout the United States and Canada; and,

WHEREAS, the contest coordinators have prepared study booklets for the participating schools to use a curriculum guide detailing a course of study to prepare; and,

WHEREAS, the contest curriculum includes the first three volumes of the Torah, from the knowledge of God to the holidays; and,

WHEREAS, the participating contestants have successfully mastered testing at their respective schools; and,

WHEREAS, the finalists will compete in a written and oral competition, including applications to the laws of the Torah.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby wish all of the contestants in this year's competition the best of luck; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Yeshiva Schools of Pittsburgh on their continuing dedication to education and hereby declares Sunday, February 21, 1999, "Sefer HaMitzvos Day" in the City of Pittsburgh.

MS. MCDONALD moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Meir, do you want to tell us something about it?

Mr. Pheffer:

Thank you very much, Council President Bob O'Connor, Councilman Dan Cohen, members of City Council, who have always been very supportive of the needs for our community and our neighborhood. My mentor Tom Flaherty and I just want to thank everyone for their support for our school and community.

Speaker:

It is an honor to participate in this wonderful program and we are all very proud of all of our students in the Yeshiva Schools. Thank you.

The Chair:

How many children do you have in the school?

Mr. Pfeffer:

Over 400.

The Chair:

200 in the girls. They have over 420 students in the two schools. It is a tremendous effort and it makes a great effort for people to live and stay and study.

Mr. Cohen:

In Hebrew the word HaMitzvos means the good deeds and that's really what you're promoting at Yeshiva Schools is for your children to do good deeds. Do good deeds for their community and do good deeds in the world at large. So I just want to congratulate you for putting on this program and Councilman O'Connor for presenting this proclamation. I wish you every success. Thank you.

The Chair:

Now move to presentation of papers.

MR. FERLO PRESENTS:

No. 1250 Resolution Providing for a Contract or Contracts, or use of existing Contracts, and/or an Agreement or Agreements, or use of existing Agreements for the renovations to the City County Building and for the purchase of equipment and supplies for said projects; at a cost not to exceed \$180,000.00.

Which was read and referred to the Committee on Engineering and Construction.

MR. ONORATO PRESENTS:

No. 1250 An Ordinance amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, Chapter 902, by changing the Zoning District Map Conversion Chart to specify that the "M2" and "M3" Industrial Districts are converted to "UNC" Urban Industrial District rather than "NDI" Neighborhood Industrial District,

No. 1252 An Ordinance Amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, Section 925 by revising the Contextual Setback regulations.

No. 1253 An Ordinance Amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, Chapter 911 by revising the definition of Bed and Breakfast (Limited).

No. 1254 An Ordinance Amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, Chapter 911 by revising the Use Table for Religious Assembly (Limited) and Religious Assembly (General).

No. 1255 An Ordinance Amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, Chapter 901, by revising regulations pertaining to uses which are institution, educational institution, or unit group buildings thereof; and hospital or unit group buildings thereof.

No. 1256 An Ordinance Amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, to include the Urban Industrial District.

No. 1257 An Ordinance Amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, Chapter 908 by revising the Public Realm District Regulations.

No. 1258 An Ordinance Amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, to revise regulations applicable to the EMI District.

No. 1259 An Ordinance Amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, Chapter 911 by revising the Use Standards.

Which were read and referred to the Committee on Planning, Zoning & Land Use.

MR. ONORATO moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

MR. RICCIARDI PRESENTED:

No. 1260 An Ordinance Supplementing the Pittsburgh Code, Title Seven, Business Licensing, Article VII, Service Businesses, Chapter 765, Commercial Hauling of Municipal Waste, by adding requirements to keep dumpster lids closed at all times. —(SPONSORED BY **MR. RICCIARDI**)

Which was read and referred to the Committee on Public Works, Water & Environmental Services.

No. 1261 An Ordinance Amending the Pittsburgh Code, Title Five, Traffic, Article VII, Parking, Chapter 549, Residential Permit Parking Program, Section 549.08 Visitors Permits, by changing the amount of days available for visitor permit parking within a specified period of time. —(SPONSORED BY **MR. RICCIARDI**)

Which was read and referred to the Committee on Planning, Zoning & Land Use.

MR. UDIN PRESENTED:

No. 1262 Resolution Providing for the issuance of a \$2,858.62 warrant in favor of Jan Sipula, 107 Dunbar Drive, Pittsburgh, PA 15235 in settlement of a claim in which a City Public Works truck hit and damaged claimant's vehicle.

No. 1263 Resolution authorizing the purchase of a \$15,000 group life insurance for each part-time, non-union employee.

Which were read and referred to the Committee on Finance and Budget.

The Chair:

Thank you. We will now move to unfinished business. Any unfinished business to come in front of Council?

UNFINISHED BUSINESS

Mr. Ferlo:

I don't know if this qualifies as unfinished business, but I think it was at least last year City Council requested the Personnel and Civil Service Department, Director Parees changed or modified the

vacation policy for city employees. I actually voted no because despite the fact that I can understand arithmetic I could not understand what the administration was actually doing.

Now they explicitly stated because I asked it 15 times not being able to understand the bill, despite having the ability to read and write, they explicitly stated on record that there were no changes, no reductions or no one is going to lose anything. Now I don't know if I am alone but other employees in the city communicated I think not only to myself but other colleagues that for employees white collar who have more tenure the actual calculation is such that there is a reduction in the established benefit that a white collar salaried employee has experienced.

Now what I would like to know is that true? Is that not true? What are the facts? Because I believe the majority of my colleagues thought they were voting for something that would extend the benefit or improve the benefit for most employees especially start up employees who want to accrue vacation time beginning with the January month. So they can utilize the benefit during the course of the year not have to wait until the anniversary date.

I am not going to try to explain all the math because I don't even understand it. That is one of the reasons why I voted no. But if that is the case, Mr. President, can we ask for a ruling from someone? I don't know who we can get a ruling from, but I would ask that the Personnel and Civil Service Director respond to this criticism from some of the tenure employees. If it is the case that there is a reduction, I would ask my colleagues to

jointly co-sponsor a resolution to restore that benefit and if someone can write it up, God bless them, I can't.

The Chair:

I certainly agree with you and I have been approached by quite a few employees. I requested Ms. Parees a small meeting again to explain it. Because the way it was explained to me I thought it was a positive benefit to the employees. I know all my colleagues who voted for it at least we thought it was good for them. Evidently there are some problems and it is hard to understand. I still haven't comprehended it myself. So I certainly --

Mr. Ferlo:

I have no problem with part of the benefit that was for the newer employees. If they can start accruing time and if they want to take vacation time earlier in the year, I can understand that. That's what I liked about it. But I did not; of course, I didn't like the process if you remember. I thought they should have been required to go back to each department including those that didn't have the benefit of collective bargaining and explain the policy. If they had done that, I am sure some of the individuals who are writing to us now would have articulated their criticism and we could have modified it.

But to the extent and I am not going to any meetings. As far as I am concerned if it is not the way Council thought it was, we should immediately amend it and get it back on track. It is not fair to the tenured employees.

Mr. Ricciardi:

I just want to thank Mr. Ferlo for

bringing up the issue and for you, Mr. O'Connor, for revisiting the issue itself. Just for the record, I also voted no. I was unclear on the benefit for the older employees those with more seniority but I am getting a host of letters and phone calls. I was going to write a memorandum today but if you are already setting up a meeting, Mr. O'Connor, I would like to take part in that meeting.

The Chair:

I will ask Council, his personnel and I would like them to either explain it properly again, we can rescind it. I would be glad to, especially since it hurts the old employees. It certainly wasn't our intent to your credit if you voted no you were probably ahead of the game, but I thought it was -- I saw it as a benefit as it was explained.

Mr. Ferlo:

Ask the District Council to reconcile their math, because I didn't understand it to be honest with you.

Mr. Hertzberg:

Mr. President, I think it was at last Wednesday's Standing Committee Meeting Mr. Ferlo brought up the issue of the empowerment zone and the recent determination that we were not winners of that empowerment zone. Councilwoman McDonald is Council's Chairman of Housing Economic Development and Promotion and myself as the Urban Redevelopment Authority Board member decided to call a cablecast Post Agenda meeting because we think that a very important issue to delve into that. Why someone else was selected, why we

weren't selected again and maybe there is going to be another round. But we need to get on top of this. I am going to make a motion to have a cablecast Post Agenda on that.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

One another topic.

Mr. Ferlo:

Can we please extend an invitation to the elected delegation at the Congressional level. Not only Congressman Coyne but as I mentioned last week Congressman Klink not even being aware or asked to be supportive of this. Also we are paying individuals I believe Mr. Kolling works more locally in the Commonwealth but to the extent that Ms. McCormick and/or others have been employed, I would like to have them participate in the meeting also.

Mr. Onorato:

And on that same point, I hope if we get ignored again I sure hope that people don't starting bringing through here presidential candidates that have some power right now and expense that this region is going to just stand up and endorse them again. It doesn't work that way any more. If they aren't going to listen to us once they're in, I don't want to be over campaigning for them.

Mr. Ferlo:

I already returned a return to sender

an Al Gore fundraising request this week.

So, if he thinks he is going to come here and have a democratic rally in Market Square, he is sadly mistaken.

The Chair:

I think it is very important that we talk to our union leaders. We always rally behind them and then we get the crumbs.

Mr. Ferlo:

The most right wing reactionary republic congress people from Ohio who are anti Clinton and Gore got three empowerment zones.

Mr. Onorato:

Tell them to go there and campaign.

The Chair:

Let us get to the bottom of why we didn't get it too. I think there are a lot of problems out there and issues we should address and certainly start at the bottom and go all the way to the top.

Mr. Ferlo:

Maybe we should impeach Clinton and Gore.

Mr. Hertzberg:

One other topic that was raised at the end of last Wednesday's Council meeting, I believe by a speaker that came in at the end who came in from the Public, Mr. Zotter, was the issue of our street cleaning program. That's an issue that I

think we really need to get a better handle on in Council. I get calls on a very regular basis from people that want to be in the program. I probably get more calls from people that are in it that don't want to be in it. They don't want to move their car once a week, it is more trouble than it's worth. I get more calls like that than anything else. It is a program that I am sure is costing the city plenty of money.

So either way, I would like to get to the bottom of it, find out where the program is? Where it should be? I am going to call-- make a motion for a cablecast Post Agenda on street cleaning.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

I don't know if you want to include at the tail end of that the asphalt paving this year. So we're up-to-date on what is really happening. If you have a few minutes at the end of your cablecast we might want to delve into that. Anything else?

Mr. Ricciardi:

Just on street cleaning, just to duck tail some of Mr. Hertzberg's comments. I think Public Works realizes any and all shortcomings because obviously we finally approved new sweepers for them. We have to give them the right tools and vehicles that they're going to do a fine job. So I believe several months ago we did approve, if I am not mistaken, five street sweepers. Once those street sweepers come in, I think we are going to see a marked improvement here in the City of

Pittsburgh with street cleaning.

Mr. Ferlo:

Can we have a lie detector machine brought in for the cablecast Public Works Post Agenda?

The Chair:

I will echo Mr. Ferlo some of your remarks. I know two years ago my Council District they were short of any drivers with CD licenses to drive the sweepers. So again, we can go out and spend a million dollars buy new sweepers, we don't have qualified people or trained people with the proper licenses. Again, it is not that hard so again we certainly have our management challenges.

Anything else under unfinished business?

Hearing none, move to Reports of Committees.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1264:

Report of the Committee on Finance and Budget for February 10, 1999, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 846:

Resolution authorizing the City of Pittsburgh to enter into a Cooperation

Agreement with the Public Auditorium Authority of Pittsburgh for the establishment of a trust fund and the deposit therein of earned income tax paid by nonresident professional athletes and other nonresidents who use government owned sports facilities. (HEARING HELD DECEMBER 2, 1998).

Which was read.

Also,

Bill No. 994:

Resolution authorizing and directing the Treasurer of the City of Pittsburgh to make appropriate changes to the City of Pittsburgh's earned income tax regulations and procedures so as to include the requirement of all professional sports players working in the City of Pittsburgh on a part time basis to pay the City's earned income tax. (SPONSORED BY MR. FERLO)

Which was read.

Also,

Bill No. 1060:

Resolution transferring \$50,000.00 from the Non-Departmentals - Personnel, Pension Account to the Law Department's Miscellaneous Services Account in order to hire outside assistance to help the Law Department with the technical aspects of the cable communications franchise renewal process.

Which was read.

Also,

Bill No. 1210:

Resolution authorizing a Cooperation and Support Agreement among the Public Auditorium Authority of Pittsburgh and Allegheny County, the City of Pittsburgh, the County of Allegheny, the Stadium Authority of the City of Pittsburgh and the Allegheny Regional Asset District Relating to allocation of Certain Allegheny Regional Asset District Revenues to the Stadium Authority and the Auditorium Authority in connection with financing the construction of two new professional sports facilities, and renovation and expansion of the David L. Lawrence Convention Center.

Which was read.

Also,

Bill No. 1211:

Resolution authorizing the City of Pittsburgh to issue a deed, in form approved by the City Solicitor, for property in the 16th Ward of the City of Pittsburgh, known as 2700-2702 Spring Way, designated as Block 13 S, Lot 261 to Carl R. Calio and Kimberly Calio, his wife, for the sum of \$500.00.

Which was read.

Also,

Bill No. 1212:

Resolution providing for the acceptance by the City of Pittsburgh from the Western Pennsylvania Conservancy of certain property on Mooney Road, Block 134-L Lot 288, in the 31st Ward of the City of Pittsburgh, for the extension of the 31st Ward Greenway.

Which was read.

Also,

Bill No. 1214:

Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(a) 3622 Smallman Street, 6th Ward, Block 48M, Lot 14, vacant lot containing an area of 1,600 sq. ft, being sold to William H. Michaels for \$110.00. Intended Use: Additional Yard Space. (Council District 7).

(b) 7008-7010 Frankstown Avenue, 13th Ward, Block 125H, Lot 261, vacant lot containing an are of 5,671 sq. ft., being sold to William D. Jackson for \$610.00. Intended Use: Add to adjoining property and keep as green area. (Council District 9).

(c) 818 Parkwood Road, 16th Ward, Block 32B, Lot 335, vacant lot containing an area 20,200sq. ft., being sold to Rhonda Michel for \$600.00. Intended Use: Additional yard space. (Council District 3).

(d) 115 Fountain Street, 25th Ward, Block 23H, Lot 312, three story frame house an done story brick & frame garage situated on a lot containing 2,940 sq. ft., being sold to John R. Rush, \$5,010.00. Intended Use: Rental Unit. (Council District 6).

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Ferlo:

Thank you, Mr. President. In relation to Bill 846 and 994 these are the bills that institute or extend the city's earned income wage tax to non-resident professional athletes, ballplayers. In particular the Pirates, Steelers and the Penguins that would generate close to a million dollars in this year alone because it would be retroactive back to January of this year.

I did want to reconcile the discussion at the Wednesday session. Accordingly I would like to amend by substitution Bill 846. This was a draft agreement based on the discussion Wednesday. It was written up by Director Hennigan in the Finance Department and my proposal as part of that would be to table 994 with the net effect. For purposes of discussion I would like to move the amendment by substitution of 846.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I would ask that my tabling of the 994 be also on the table. But for purposes of discussion this reconciles what I think was a consensus expressed at the last week Standing Committee Meeting. I do want to thank Mayor Murphy and his administration for their commitment. In

the spirit of compromise trying to recognize that it is important not only to move ahead and maintain the momentum of Plan B for the construction of the new ballpark, the new football stadium as well the new convention center, long over due, their commitment to recognize that the income that would be generated. This is one time folks you want to have millionaire ballplayers because we will see a direct return with an investment pool for capital construction of the three major projects that embody the Plan B initiative.

But as well this year alone we expect hopefully if our guesstimates are right I think there was a lot of thoughts in them, if the guesstimates are correct, we will generate at least \$250,000 above and beyond the \$750,000 that we are trying to commit for the construction of the three new major entities. So this amendment by substitution clarifies what the authorizing language is of Council. The City Treasurer has already changed and modified the particular section 206D under his prerogatives to amend the City's wage income tax language. And the income would be the \$750,000 baseline going into the broader pot of money for capital construction of the three projects I mentioned. The surplus expected to be \$250,000 this year growing to a pot of money possibly as much as a million dollars in year eight. Eight years from now all of that extra money would come back to the city's operating budget but specifically targeted for the Parks and Recreation Department to support badly needed Parks and Recreation programs and activities.

Everything from Little League team initiatives, the money we spent right now for the city's Big Leagues, which is in

excess of \$100,000, we have the NFL flag football, all of our Little League fields and football fields, soccer fields are badly in need of repair or resodding or changing or fencing. You name it there are all kinds of money that needs to be expended out there both for infrastructure and operating costs in the parks department.

We have the successful community enrichment program we would like to expand that both within the present sites as well as possibly expand that to some of the schools around the city. Fortunately this will begin to give us some of the money that is badly needed and will not be eaten up by the disproportionate burden of the Public Safety Budget and the city's operating budget.

I think it's a win, win for everyone. Personally I would like to have seen it all go to the Parks Department. But I think we need to be supportive of the Mayor's agenda on Plan B. I think it's a fair return. Again, I want to stress I hope we have more millionaire ballplayers for the next few years since money comes back to us.

The Chair:

Does this mean we will be glad to see Barry Bonds back in Pittsburgh?

Mr. Ferlo:

I don't know about that.

Ms. McDonald:

Councilman Ferlo's remarks I wanted to commend Councilman Ferlo as one Council member for his efforts in pushing the envelope on this issue. With the resistance that we have received in

terms of well this is how we are supposed to finance it and this was the original plan. If we tax the players this goes towards building the stadiums.

It was through Councilman Ferlo's efforts that we said no we want to see a cut of that go back into the community, go back to the very people who are supporting the building of those stadiums. So I just want to commend him for his efforts, and I whole-heartedly support both pieces of legislation.

Mr. Cohen:

Mr. President, I also want to thank Councilman Ferlo for his leadership on this issue. It's only appropriate that professional athletes pay the wage tax in the City of Pittsburgh because they work in the City of Pittsburgh at least on occasion when they come into play. So even without Plan B it's a good idea to do this. But given Plan B and given that these professional athletes are playing or will be playing in facilities that are funded in large part by tax dollars, then it only makes sense that the professional athletes pay taxes as well.

This is a win, win because it helps Plan B to move forward. It is also going to help our city to pay its bills and I support it whole-heartedly.

Mr. Ricciardi:

Yes, thank you, Mr. President, if I could take a minute. First of all I also would like to commend Jim Ferlo for raising the issue several months ago and all the hard work and effort that he put towards this issue. When he first approached me regarding the original

legislation, I was very supportive of it and very excited about it. And what that did was that took all the earned income tax revenue collected from the professional sports players and put it into the city coffers.

That's where I split company with several of my colleagues especially now the sponsor of the bill who says we have to carry out the Mayor's agenda. I totally disagree. Let me just say Plan B and the sports facilities have definitely benefited from tax dollars and will continue to benefit from tax dollars. I mean there is going to be over \$400 million of interest payments on the loan to the sport franchises, which is going to be absorbed by the taxpayers.

There is going to be 14 probably nearly \$15 million of sales tax going into the Plan B which is going to benefit the sport franchise putting a side the millions of dollars that the rate payers in the City of Pittsburgh through the Pittsburgh Water and Sewer Authority are going to put towards Plan B. But if you really look at this, once we collect these revenues from the sports players, from the athletes themselves, that this money now becomes tax money. No different than the wage tax that is being paid by an employee of the Rex Theater. When an employ on Carson Street in the Southside pays his wage tax that money belongs and rightfully so goes to the city coffers. It does not go back to the Rex Theater and the Rex Theater says well we're going to use our wage tax to improve our marquee. That's what we are doing here.

It is the same to that employee, well you can keep your wage tax, we will shoot it back to and you can improve your

marquee. It doesn't work that way. All this money should come back into the city coffers. If it does not, what we are in fact doing is, it is not the sports players, the athletes that are actually giving the money to help improve their stadiums. It is actually the taxpayers then. And the \$750,000 of initial money dollars should go back into the city coffers.

I will say this that Mr. Ferlo rightfully pointed this out several weeks ago when I was very interested in the Storm Team Task Force that what was being done. He argued quite eloquently that I was moving something dollars around not creating new revenues. This is new revenue. \$750,000 would pay for the first year salaries of 25 police officers in the City of Pittsburgh. 25 additional police officers or you could pay for and cover the entire projected hires of 1999.

\$750,000 would pay for 66 school crossing guards here in the City of Pittsburgh. We all received numerous requests throughout the year for additional school crossing guards throughout the City of Pittsburgh. This would pay for 66 school crossing guards in the City of Pittsburgh. Or 29 firefighters.

We all talk about Public Works. The chair just spoke about street cleaning. We just spoke about snow removal. Ralph Kraszewski is very honest when he comes to the table and he is not getting new employees because as Mr. Ferlo pointed out there is going to be attrition. Well \$750,000 would pay for 25 Public Works truck drivers. That would increase the budgeted by the truck drivers this is nearly one half of all the operation drivers budgeted or \$750,000 would pay for 28 Public Works laborers. Twenty-eight

additional Public Works laborers here in the City of Pittsburgh that would increase our laborers by 15 percent.

Thirty-three new paramedics. Or the \$750,000 would pay for 55 percent of the cost of operating all the swimming pools here in the City of Pittsburgh. 55% or 100% of the swimming pools fees and the operation of the Schenley Ice Rink and the Frick Park, totally paid for. We could also pay for 50% of the Public Works capital construction division. Or we could increase the heavy construction division here in the City of Pittsburgh by 50%.

We are always talking bout retaining walls. We are always talking about city steps. We are always talking about the condition of our streets. We could increase the Public Works capital division by 50%. We could cut the amusement tax by 12%. We could cut the deed transfer tax by 10%. We could cut the mercantile tax by 11%.

In conclusion, and I think the administration and some of my colleagues have very fortunately as you can tell, I have a cold that was passed on to me by my four year old. So I apologize for my raspy voice. But the dollars from the earned income wages from the athletes should not go back into the stadium it should go into the city coffers. By putting them into the stadium now the taxpayers of the City of Pittsburgh have just again subsidized through their tax dollars, from their city tax dollars, \$750,000 to Plan B. Because once you collect a tax it doesn't become a tax from the athletes, or doesn't become a tax from a waitress or a tax from an attorney or a lawyer or a laborer, it's goes into our checking book. It's taxes.

Everyone has a right to those taxes.

I really believe that residents in the City of Pittsburgh especially from my district would vote no and would adamantly object to the \$750,000 that's going to go back into Plan B. Times that by 30 you are talking about nearly \$25 million. So this is new revenue. If we want more laborers for snow removal in the City of Pittsburgh or more crossing guards to protect our children in the City of Pittsburgh, or we are talking about more police visibility here in the City of Pittsburgh, this is real money.

We want to talk about helping small businesses here in the City of Pittsburgh. We want to talk about cutting the amusement tax, the mercantile tax, the business privilege tax, here is \$750,000 that should not go into the stadium construction that should go into the city coffers. I will stay with that example because I just went to the Rex Theater over the weekend. But when an employee of the Rex Theater pays his wage tax, the money is not redirected back to the Rex Theater for the upkeep or for the approval of their marquee. Thank you very much.

Mr. Hertzberg:

Yes just down the road on the LTV site where we are about to vote on a TIF and assuming that passes, a percentage of the real estate taxes that those property owners there pay will not go into the general fund. It will be diverted into a TIF and this is very similar to a TIF is what it amounts to and it is the same.

I mean you can question TIF's; a lot of people have. But this isn't very much different than a TIF and everyone can ask themselves well would we be able

to have these developments and there are three developments. A baseball ball park, a football stadium, and an expanded convention center. You can argue well we should have forced the private sector to pay more and you can what if yourself to death, but this isn't really very much different than a TIF.

The users of the facilities, the owners, the major users of a facility their tax dollars end up getting plowed back into those facilities. I think that Councilman Ferlo has done a great job in finding an area compromise where we are able to both do that benefit these projects and at the same time benefit our Department of Parks and Recreation.

In my mind there is no department that has suffered more over the last five or ten years, that has been cut back more, that is working with less and getting more, than the Department of Parks and Recreation. I think it is about time that some funding be found. This is a great source of new funding for that department to start to expand and hopefully add some personnel, add some programs. I think we couldn't find a better way to do this.

Mr. Ferlo:

Obviously I might philosophically and personally share some of Councilman Ricciardi's views as I originally stated late last fall when I first introduced this. There is the old sports adage about no pain and no gain. Now that things are safely signed on the dotted line in relation to Plan B, I think we should start telling the truth about Plan B and that is the City of Pittsburgh disproportionately made out like a bandit and we should say that proudly. That's why I vocalize my support for Plan B.

We finally get the yoke of the stadium debt and its structure off of our backs, the City of Pittsburgh taxpayers. Now all of this burden, new stadium, the Convention Center is not born on the backs of the City of Pittsburgh debt service and operating budget. The \$750,000 or roughly the seven million dollars figure had always been used by the administration, Mr. Leeper and others as part of the original financing package. But when you add up the overwhelming amount of public dollars going into this project, they're not being spent in Swissvale or Mon Valley or Fayette County, they're being spent disproportionately in the City of Pittsburgh even within one or two Council Districts.

When you add up all the state dollars that are coming into the city for a change and not going to Philadelphia, not going some where else, but coming back to the City of Pittsburgh, when you add up the return of the investment that every resident has made by the increased sales tax and you look at the amount of money that that revenue is and how it is coming back to the City of Pittsburgh not only to build two new stadia but to build an expanded Convention Center, which I think everyone has agreed the Convention Center even more so than the two sport facilities actually bring in new income and revenue that other wise would not be present without that expansion. When you look at the direct capital investment that Plan B not the city taxpayers but the whole region if not the state will be paying for, major infrastructure repairs to Fort Duquesne Boulevard and the ancillary infrastructure in and around almost as far as the north shore area, I don't see how you could in anyway denigrate the amazing

amount of financial impact this will have disproportionately to the city.

In fact we are not being truthful in a way because unlike the pass these expanded activities will actually bring more money into the City's operating budget. The product of this construction will increase the amusement tax of the City of Pittsburgh did in the past, it will increase the parking tax, more money than we had for the things that Councilman Ricciardi has talked about, the business privilege tax, the wage tax, the occupation tax all of that added up is actually again disproportionately going back to the City of Pittsburgh's operating budget as a surplus not as a pass debit which has been the case with the city taxpayers only paying and funding the existing Three Rivers Stadium.

We made out like a bandit and I can give a better speech than Commissioner Dunn any day if I want to talk about the rhetoric of tacky millionaire ball players that had a relevant time back late last fall when we were arguing about Plan A which I did not support. Plan B if you are a city official it's a no brainer we make out like bandits, take the money and run. Keep a smile on your face.

Mr. Cohen:

I don't usually ask for a round two. I want to add one thing to the whole Plan B scenario. Maybe this is an intangible but what is going on at the Convention Center right now and that is we are having a design, we being all of us, a design competition for a new Convention Center, which will be a spectacular world class Convention Center. This design competition is getting worldwide publicity

for the City of Pittsburgh.

The four designs are in now, this weekend I will be participating along with other members of the Auditorium Authority and the Design Committee to review each of these, to hear from four world class architects about the new Convention Center.

I only raise this because there are also intangible benefits to the City of Pittsburgh. And that is that we're going to have a spectacular Convention Center by a world class architect. And not necessarily before we even get to the construction of the Convention Center, the competition itself has given world class recognition to the City of Pittsburgh and that's just one aspect of this whole program.

The Chair:

You led into something that I want to talk about. I certainly commend you as a member of the Auditorium and Design Commission, but I have been meeting and I believe we have to as a group send a strong message that they will hire an outside architect that world class designer. But 70% of the work could be done in Pittsburgh. So we want to urge them all to -- they semi committed the draftsman, the engineering all of that should be local, minority women firms are all here in Pittsburgh. So we want to make sure strongly that that money stays here.

Mr. Cohen:

It's in the request for proposal and in the documents themselves. They are required to partner with a local architect just by the way as HOK is on the PNC Ball Park, as well as satisfy all MBE/WBE

requirements. I actually put into place a MBE/WBE policy at the Auditorium Authority and they are required to abide by that policy.

The Chair:

You will be having one of the final votes. You represent Council so we certainly urge you to support that in which you already are.

Again, my hats off what you mentioned, Mr. Ferlo, about the white elephant on our backs. Two years ago I strongly made a commercial about my key issue. I am a sports nut, I have taken my kids and I want to take my grandchildren to the games. The biggest question was who was going to pay the \$45 million on the old stadium? I didn't want to say it that way, but we got it off our backs. It took two years but that was the key element to any sport (support) any one in Pittsburgh should have for a new stadium that's off our backs. It is paid by Harrisburg, the county and the owners.

We are small players now instead of a \$45 million white elephant on our backs. So that is the most important thing. As you said this is a no brainer. I took my car into the shop today and everyone there was saying the same thing. I think we're finally getting the message through that this is very, very smart dollar wise on the part of Pittsburgh.

Again, I want to compliment you, Mr. Ferlo. I don't know who could come up with a popular tax, but Jim did. Everywhere I go I have gotten more phone calls for a tax wanting to tax those ball players and I think I will give you credit too for the art of compromise. I think this

was something that benefited everyone.

Again, Mr. Ricciardi has a lot of strong points and I don't think anyone can really disagree with him, but this is helping build the stadiums and Convention Center. But most of all this is a growth tax, this is only in a million, this will grow and grow. These ball players and places keep coming, which it doesn't look like an end to it, that tax will be well over a million half two million dollars which will all go to benefit the kids and the parks program of our city.

So I think it is a great initiative you have come up with and I want everyone to make sure they know where it came from. I want to thank you for it on behalf of all of our kids, not just ourselves.

Mr. Ferlo:

We are getting closer to the milestone; we will even have a bigger payroll.

Mr. Ricciardi:

Point of order, if I can ask the sponsor of the bill, if I am not mistaken the two bills before us do not create the tax, it just creates the two trust funds and redirects money into those trust funds for the legislation?

Mr. Ferlo:

The actual language is always promulgated in the city, which allows the treasurer to modify the city code of ordinances on earned income tax, which he did in December. We need to have the authorizing resolution and that's what the Bill 846 by substitution --

Mr. Ricciardi:

Does it establish the tax?

Mr. Ferlo:

It establishes the tax but the actual collection guidelines are written in the city code by the prerogative of the treasurer.

The Chair:

Do you need a motion to table 994?

Mr. Ferlo:

Yeah, the motion on the floor is to approve by substitution 846 and to table the Bill 994.

MR. COHEN seconded the motion.

Mr. Ferlo:

The amended bill creates the special Parks Trust Fund, I mean reinforces --

The Chair:

So, it is two separate bills?

Mr. Ferlo:

So we are clear, the amendment that I have on before you clarifies the appropriate language for 846 but it includes the expansion of the excess and the 750 going to the special Parks Trust Fund.

I am proposing that we table the language that is expressed in 994. We are

using legal language here to make it clear that it is by non-resident professional athletes whose compensation is generated at least in part by services requiring the use of government owned sports facilities. This is to address the issue of the WWF coming in once and being required to pay the tax, which they will not. So, I would like to stick with the legal language here so we don't mess this up.

The Chair:

Would you like a second on the table?

MR. RICCIARDI seconded the motion.

Mr. Ricciardi:

Just a follow up, is the tax in existence to date as we speak?

Mr. Ferlo:

The language has been modified by the city treasurer to collect the tax, yes.

Mr. Ricciardi:

So it's established as we speak. So I will be voting no on the bills because I disagree on where the money is being directed. Obviously, I agree with the tax itself.

The Chair:

We have a second on the table?

MR. HERTZBERG seconded the motion.

The Chair:

949 is tabled. The bills are now

ready for final action. All those in favor of the passage of the bills --

Mr. Ferlo:

Vote on the amendment by substitution and then a final vote.

The Chair:

All right, on the amendment.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were.

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Udin	Mr. O'Connor
	(Pres't)

(Mr. Ricciardi voted no on bills 1210, 846, 994)

Bills have received the legally required number of votes and have passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 1265:

Report of the Committee on Public Works, Water and Environmental Services for February 10, 1999, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1192:

Resolution providing for an Agreement or Agreements, or the use of existing Agreements for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh effective January 1, 1999 and providing for the payment of the cost thereof, not to exceed \$275,000.00.

Which was read.

Also,

Bill No. 1193:

Resolution providing for a Contract or Contracts or the use of existing Contracts for the repairs, maintenance, improvements and emergencies at various parks and park facilities in CD areas throughout the City of Pittsburgh and providing for the payment of the cost thereof, not to exceed \$430,000.00.

Which was read.

Also,

Bill No. 1194:

Resolution providing for a Contract or the use of existing Contracts for the repairs, maintenance,

improvements and emergencies at various parks and park facilities throughout the City of Pittsburgh and providing for the payment of the cost thereof not to exceed \$200,000.00.

Which was read.

Also,

Bill No. 1195:

Resolution providing for a Contract or the use of existing Contracts for street resurfacing programs to include but not limited to ultra thin hot mix asphalt, hot mix asphalt, crack sealing, micro surfacing, sawing and sealing, nova chip, flexible pavement, asphalt milling, truck rental, brick and blockstone repairs, handicap ramps, concrete slab replacement and parks related asphalt work at various locations throughout the City of Pittsburgh, and providing for the payment of the cost thereof, not to exceed \$2,815,000.00.

Which was read.

Also,

Bill No. 1196:

Resolution providing for a Contract or the use of existing Contracts for street resurfacing programs to include but not limited to ultra thin hot mix asphalt, hot mix asphalt, crack sealing, micro surfacing, sawing and sealing, nova chip, flexible pavement, asphalt milling, truck rental, brick and blockstone repairs, handicap repairs, handicap ramps, concrete slab replacement and parks related asphalt work in CD areas throughout the City of Pittsburgh and providing for the payment

of the cost thereof, not to exceed \$2,161,603.00.

Bill No. 1197:

Resolution Establishing a Newspaper Vending Machine Task Force and Directing the Departments of Public Works and City Planning to prepare an Objective Report on Newspaper Vending Machines. **---(SPONSORED BY MR. HERTZBERG)**

Which was read.

Also,

Bill No. 1198:

Resolution providing for a Contract or Contracts, or the use of existing Contracts for flexible beam guiderails at various locations throughout the City of Pittsburgh, and providing for the payment thereof, not to exceed \$63,000.00.

Which was read.

Also,

Bill No. 1199:

Resolution providing for a Contract or Contracts, or use of existing Contracts and/or an Agreement or Agreements, or use of existing Agreements and for the purchase of materials, equipment and supplies in connection with the Wall, Step and Fence Program at various areas throughout the City, and providing for the payment of the costs thereof, not to exceed \$700,000.00.

Which was read.

Also,

Bill No. 1200:

Resolution Vacating of Alcor (E. General Robinson to River Ave.); Burdock Way (E. General to River Ave.); Cabra Way (Alcor St. to Burdock Way); River Ave. (Federal St. to Westerly Terminus) in the 22nd Ward, 6th Council District of the City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Hertzberg:

Thank you, Mr. President on Bill 1197 this is regarding newspaper vending machines. If you recall I introduced two other bills that would regulate newspaper vending machines and we held a Public Hearing. Those two bills have been held. It's my intention tomorrow to make a motion to table them.

This bill in front of us would have us give a trial period to the Good Neighbor Program that the newspaper distributors have entered into and we are going to try to modify it a little bit. But it would give them an opportunity privately to try to deal with the problem. We will look at it over the next year.

I had a concern that the Pittsburgh Downtown Partnership be involved in the analysis over the next year and the newspaper distributors have informed me that they have no problem with that. So I

will be making a motion to table those two bills tomorrow.

Before you is an amendment that makes a couple of changes in this new resolution for the Good Neighbor Program. First it ups the number of representatives from the publications from four, which was a number I chose to six. They have asked for two more. I don't see any problem with that. Also we have added a section at the request of Councilwoman McDonald and I think it was a good point. Once this task force comes up with a hopefully an amended Good Neighbor or a program that then Council members will have the opportunity to review it and comment on it before it is finalized. So I have added that in the form of section two. And, I make a formal motion here to amend bill number 1197.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Udin:

You indicated, Mr. Hertzberg, that you intended to include the Pittsburgh Downtown Partnership but I don't see them mentioned here in items A through G in the amendment.

Mr. Hertzberg:

All right. My intention and it really isn't dealt with in this written document we could. But the intention is in the analysis program during the next year the objective report that gets done I mean that's all that is specified that it be an objective report. I didn't say by whom and how and I kind of wanted to leave that as

part of the process of this task force on how we are going to develop that report. But I have been assured that the Downtown Partnership will be free to participate and do what they exist to do.

Mr. Udin:

Would you have an objection then to including as another item a representative from the Pittsburgh Downtown Partnership? I so move.

MR. RICCIARDI seconded the motion.

Mr. Hertzberg:

Just a clarification. Would you like that in the part where we have-- would you like them on the task force add them as an H or do you want them in section three where we talk about the report? I don't care either way.

Mr. Udin:

On the task force.

Mr. Hertzberg:

On the task force. So we would add that by placing an H there, representative of the Pittsburgh Downtown Partnership. I take that as a very friendly amendment.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I want to ask about asphalt, not about this.

Ms. McDonald:

I just wanted to commend Councilman Hertzberg. As I indicated last week on all the efforts as well as he working with our Public Works Director Ralph Kraszewski and Assistant Director Lamar Barnes for the fine work and the research that they performed that there is a lot of work that went into this bill even though the bill is going to be tabled.

I would urge my colleagues before we do receive an objective report as to well what are we going to do and how things faired with this Good Neighbor Policy that we do understand and read all of the particulars that went into the draft legislation, in terms of setbacks and what have you and understand, I guess, the goals of all the details in the legislation. What it meant? What it was supposed to actually look like? Mathematically it's put on paper but actually what it's supposed to look like? Is it going to make a more pleasing appearance particularly in downtown areas on the corner?

Again, I am thanking you very much for including the amendment to have this draft proposal. This Good Neighbor Policy be reviewed by Council because I can tell you personally I would like to see what it will eventually look like. I do insist on some of those details being in the Good Neighbor Policy to actually make it worth while, to make it at least different than what we already have.

Mr. Ferlo:

Mr. President, Bills 1195, 1196 together roughly generate \$5 million for the City's 1999 asphalt paving program. By whatever method might be appropriate half of it is roughly Community

Development Block Grant, half is Capital Bond Fund. I am going to abstain if we have to finally vote on this today.

I am not clear, maybe other colleagues have a different perception of this, but the work that was done this past year, I am particularly unhappy with at least my Council District. I think it was probably more of the outside contractors as opposed to the city work force. For what I saw the outside contractor do, I am not sure we should continue the relationship with the contractor.

I also question maybe there is a way for us to strengthen in the bid specifications who gets these contracts. It's seems like whoever seems to be doing driveways ends up becoming a big contractor for the city and that does asphalt. I think they are apples and oranges. There are smaller companies that can do a driveway but they don't have the equipment, the people power, the expertise to take on long street corridors, boulevards and avenues. It seems like sometimes because of the way the bidding is, it is so loose, that anyone can come in and grab this contract. That is what I think happened at least this past time.

I have had streets I don't know how they were done. I don't know if they were painted on, they're completely breaking away, there is no sealing done around the curb line or the Public Works sewer lids and the like, not enough consideration given to the grading of the banking of the street. It seems like we are throwing a lot of good money away only to have streets, and I could point to a number of them in my district that have been done just a few short months ago, that are already breaking up and it had nothing to do with the winter

thaw.

I really think there is a serious question about who gives these contracts? How we are bidding it out? What our inspection and requirements are? I would rather just spend the money in-house to either add more crews or spread it out a little more. I would rather see more streets graded down lower to the curb line, we just keep piling on you know asphalt. Now it is not even quality asphalt, it is like this chip stuff and whatever it is called these different methods of that have been developed over the years. But it just seems like we are wasting a lot of money. We are throwing good money after bad.

We are not doing the streets well and the quality the way -- I would rather do less streets but do them better and let them sustain themselves or last for five, seven, ten years than streets that we are doing now. Because we are trying to save a buck and two years or less, they are already breaking up, chipping away, it seems like a foolish strategy to me. I am just worried that I don't know that we have the quality management that we should have in Public Works that can give us some guidance on this. But if I have to go by my own subjective view, my own Council District, and I have been observing asphalt for the last 11 years, this past year and a half, two years in particular has not been what we should be doing.

We are throwing good money after bad. I would ask that we rethink this. If we are going to vote on it today, I am going to respectfully abstain. I would rather have the city workforce do it, take their time more, rake the street down better, do it at a higher quality asphalt, do the sealing, take the time to do the sealing,

which even that crew is not doing some of the sealing they should be doing.

Mr. Hertzberg:

I have no problem with resubmitting this and I tend to agree with Councilman Ferlo on almost everything he said. I think tomorrow, I mean we recommit it and tomorrow we focus on what we can do in-house. I am not so sure we are set up to do for example the milling in-house at all. But I know we are set up to do the paving. I know the cost is much less to do it all in-house. I think that is an excellent proposal especially this year when the overall amount of street resurfacing we are doing is much lower than it has been in the past. We did over 100 miles I believe it was in 1994. This year we are doing about 50 miles, a half of what we did. So we aren't even doing that many miles this year. I think it is a good opportunity to gear up to do all the work in-house.

So, I am going to make a motion to recommit these two bills 1195 and 1196.

The Chair:

Discussion on the bill?

Mr. Onorato:

I don't mind doing that, but you better have real discussion. We got \$29 million of bond money that is in a capital account, I am prepared to gut URA, gut some other development if we are willing to talk about really paving it. I will shift %5 million tomorrow in a vote, but you have to have five votes to do it.

So, we have to put our money

where our mouth is tomorrow if we are going to seriously reconsider how we pave the streets. That means the CD budget which is another 22 million, I am willing to have the debate and I am willing to vote to do maintenance of this city. I will tell you right now I will vote to transfer development money tomorrow. I hope we have four more votes to do it, but you have got to be willing to do it, not just criticize.

Mr. Ricciardi:

Thank you. Colleagues, Mr. President, I believe you can take any government program or activity and find any shortcomings. You could even look at the private sector, you could probably even look at my particular office and you could always say well we could do it better. Let me just say Ralph Kraszewski the Director of Public Works has been to the table numerous times to explain the resurfacing program here in the city of Pittsburgh. I believe we have had a Post Agenda on that. I believe we have also had Executive Sessions on this. I can't see any new information coming about.

It's a policy decision that's being made by the administration regarding some short-term maintenance of our streets here in the City of Pittsburgh. Because obviously if you look at the cost and I believe it is between 60 and 90 thousand dollars, if you want to properly have a base scrape the street, I forget mill the street, two to 3-inch base and one mile. So to be perfectly honest with you, I am voting no on a recommitment. What more additional information are we asking the department of Public Works to provide to us? I think there is a fine line between asking for information and just badgering a department and the department head. I

am voting no on the recommitment.

Mr. Ferlo:

Just on the issue of the recommitment, and Councilman Onorato has raised a substantive issue which I am willing to discuss. But I am also concerned even with the five million that we have allocated the method by which we are going to allocate the dollars.

Personally if you amend this bill that says the city work crew will lay the asphalt in my Council District, I will vote for it. I don't want that fly by night contractor in my Council District. I have seen the work; I don't like the work. We are just throwing money away. So, the discussion would be two fold, one how are we spending the five million? How are we going to prioritize what is being done by the outside contractor versus the in-house workforce, and a little bit of discussion about the methodology that the street will be repaved or redone.

Secondly, I think Councilman Onorato's point about whether or not we want to increase the pot which is always up for discussion but again that is a question of where else we want to cut and how we want to reprioritize. I would say if that discussion is up, that is great, but I wouldn't even want to increase this pot of money because I am not happy about the manner in which the work is being done.

So, if you want to amend this and just say that the city work force will lay asphalt in my Council District as opposed to contractors you go back to paving driveways, I will vote for it.

Mr. Diven:

I think I am committed to casting my vote to do more maintenance in the neighborhoods. I agree with Councilman Ferlo on his points about using city workforces to do this. I know personally that we have enough equipment already in a garage for Public Works that is not being utilized that could put three more paving crews out on the street this summer. The only problem is that I see that we have to have a commitment from the administration to hire those people to man those paving crews.

I think that is a policy decision that we need to have. Obviously in the budget we talked about putting 52 additional laborers or 52 different people in Public works on and a number of those laborers could be used to staff paving crews during the summer months. I think that from our perspective we should be looking at doing work in house. I believe the numbers will show it is cheaper to do it in-house, plus we have more accountability. We have more input and we can demand better service out of our own employees than argue with an attorney by a fly-by night paving company that we're not satisfied with their work.

If we are going to have the debate about whether we contract out or in house or I think that's a first step we need to overcome is getting those vacancies filled so we can have the bodies out there that can work the paving crews to make sure that we're in a position to handle the streets that are currently being contracted out. But I would support that and I would hope that we would be able to develop consensus on Council that would reflect that.

Mr. Cohen:

On that issue that Councilman Diven just raised, we were supposed to get weekly reports from Public Works on the status of filling the vacancies. I am not sure that we have gotten those. Now that it sounds like we have not gotten those, now that the city is not going to be getting the Magistrate Court money of four million dollars I am not sure those vacancies will even be filled. So that's certainly one issue Councilman Diven and others raised.

Another issue, I am willing to recommit because of what is happening in my district. Just to give you an example, Walnut Street was paved, I can go through street after street after street, but let me just take one because it happens to be a busy commercial street. Walnut Street was paved in November of 1998 and it already has developed some serious problems particularly between Copeland and Bellfont with the potholes there. Apparently a sealant wasn't put on.

These are questions that I want to be able to ask Director Kraszewski publicly and really as a discussion not to bring him here to reprimand him or to criticize him. But obviously there are a lot of issues that are pertinent to street paving that we need to ask. So for that reason I am willing to vote to recommit.

The Chair:

I will agree with a recommitment because Mr. Ferlo whether we have to bring a lie detector test or an auditor, I have been asking for years and it never fails, I got the figures yesterday to back up Mr. Diven. The city is telling me it costs

the city \$90,000 per mile, private people \$120. That is a \$30,000 savings per mile if we do it in-house.

Mr. Diven:

That is one additional laborer.

The Chair:

Not only laborers. If we would hire a second crew we would save a lot of money and do more streets. The other question we may need a site visit. I haven't seen it but I have been told by our workers that we have all this equipment in storage that has been sitting for years. So someone is not telling or laying out the facts.

So tomorrow if we do anything, let's lay out the facts. I want Mr. Tortorete here, who runs the asphalt plant, Mr. Kraszewski here and maybe we need an auditor to say who is telling the truth. If we have to bring Joe Asphalt man in to see what his prices are because I think the City of Pittsburgh is getting shortchanged. If you want to come to Squirrel Hill or Greenfield you will be amazed at how bad it is, Shadyside, it is embarrassing how bad our streets are.

I just went to Regent Square, which is probably the nicest, quietest corner of Pittsburgh and it is a disgrace that those streets haven't been fixed again from gas companies too. The gas company leaves it like your amendment said, we should roll up our sleeves, let's get the facts. If it was me, I would hire two or three crews, learn from Dick Caliguiri, you want to get re-elected, just hire and pave them. That is what the people in Pittsburgh are paying for.

So where we get the money, I think Mr. Onorato you give us a good challenge, let's get five votes to fix our city before we fix anything else.

Mr. Onorato:

Here, here.

Mr. Ferlo:

Can we have Mr. Tortorete.

The Chair:

I said Mr. Tortorete.

Mr. Udin:

Last word, Mr. President.

Mr. Ferlo:

I would like to request Mr. Tortorete.

The Chair:

I said that, so I will second that. I am sure --

Mr. Udin:

Just as a matter of procedure and climate, Mr. President, since I will have the task of chairing this Standing Committee discussion tomorrow, my hope is that we come to the table with a problem solving purpose. Let's leave this discussion of lie detector and all of that kind of innuendo here today. We don't need to take that into tomorrow because we will never get to the concrete facts, pardon the pun, if we are putting people on the defensive and suggesting that they are

coming to the table lying. Let's come talk about the facts that we want to discuss and leave the personal attacks off the table.

The Chair:

I was saying that in jest. But we have heard so many numbers --

Mr. Udin:

He may not take it in jest.

Mr. Ferlo:

I didn't mean it ingest.

The Chair:

We are getting two different facts. We are getting facts from our Public Works people telling us it is cheaper, the budget department is telling us it is more. Why would you go out and hire someone at 30, 40 thousand dollars more to do a street which you already said and I think when the Councilman requests city workers to do his streets he knows what he's talking about. So why are we hiring somebody that is not capable?

They tried to get rid of the asphalt plant. We know what is going on. If you don't know it, I will explain it to you. I think the media is here. There is some friendship, there was something tried to be pulled for the last two years about getting rid of our asphalt plant so that they can take care of their friends and pay somebody else to do all the work. Even if they low bid us, they can low bid us for two, three years, after the third year, where is it going to go? The price of asphalt doubles then what do you say, oh what are

we going to do next? I was in the restaurant business; every produce guy came in had a cheaper price than the guy I had. Two weeks later, two months later, all of a sudden it jumped up.

So this is, I want to know facts of why we can't do more in-house, we need an auditor to check the books to verify the figures and we also might need a site visit lead by your office. Your person has the experience, is that equipment there? Can it be used? We paid for it ten years ago and it is sitting in mothballs, let's bring it out. Andy can be there tonight with his camera. Channel 2 will be at 11:00. Let's move on. Vote on the recommitment.

Ms. McDonald:

Excuse me, I have not had an opportunity to discuss this. We have been ranting and raving about asphalt. I am so sick of discussing asphalt. The problem is, I think the problem that we're facing is that every one in our district we have individual problems. I agree and concur with Councilman Udin and Councilman Udin good luck tomorrow. We have to have a process in place.

I am not sure whether it would be proper to hold a bill for tomorrow for discussion about a myriad of issues that we brought to the table. We will be here all day tomorrow discussing a bill. I would defer to the chairperson of Public Works, Councilman Hertzberg, to ascertain whether we should not hold this bill for a Post Agenda so that we would have adequate time to discuss the myriad of issues that have been placed upon the table. I just don't want to beat one bill up when we really do have a number of issues that are on our minds.

So my suggestion to colleagues is to not to just recommit it for tomorrow but to recommit for a Post Agenda so that we have adequate time to discuss it.

The Chair:

I personally have one problem with that. I don't want Council to be blamed for the streets not being paved. If we hold it up then it might come back at us that we were holding up the money.

Ms. McDonald:

I agree but I ask you all, will you all be able to move on it tomorrow? Because to tell you the truth from what I am hearing at the table, I am not so sure if we are going to be prepared to move on this bill. We have so many ideas that have been placed on the table. We could hold a Post Agenda really at any time and move the bill as early as next week if we want. We are talking about possibly even one week. I am just concerned that we have other just as equally pieces of legislation that need to be discussed and moved upon tomorrow.

The Chair:

Can I let him make the decision tomorrow? We can always hold it for a week.

Ms. McDonald:

I have a comment as far as policy. This is just an opinion then. This has nothing to do with specifically the bill or process of order. As a legislative body I also do not want to just bring someone in because we're frustrated with the way

things are. We have had a horrible ice storm, a horrible bout of winter storm, that has brought devastation upon our streets and upon our communities. I just don't want one person to be a whipping boy for frustrations that unfortunately we had an ice storm that is an act of God. I don't want to get into that situation either.

I agree we want answers, we want to know the let's look at the numbers. Is it cheaper to use in house? I want to include overhead and everything else that goes into formulating a figure as how much it costs versus privatizing. That's a policy issue and that's a real issue that we're supposed to be discussing. But as far as the individual, this alley way, listen I really wish that the director would have a process in place that each of us could get our questions answered about individual streets. It is frustrating to me to have to always discuss individual streets in this and that. It just seems chaotic at times. It veers away from policy and it seems like we have crossed that line over into the administrative branch. I am not a Public Works Department Director, I expect to have details from the Public Works Director but not to the point of actually making all the decisions. Otherwise, why we do we have them?

So again, I would hope that we would keep that in mind in all of our discussions whether it be Standing Committee, Post Agenda, etc. We're supposed to set policy. If there is going to be that detailed of a discussion as far as individual streets, individual gripes, it needs to be something that the Director or whomever can discuss individually with Council members and resolve that and when it is not resolved, fine bring it to the table. But try to resolve that outside of the

policy thing we're supposed to be doing.

Mr. Ferlo:

I intend to not deal with one particular street has nothing to do with the recent snowstorm, my discussion has to do with the marked deterioration in the quality in the manner in which we are laying down asphalt either by contractor or at the city level. That is the focus of my concerns.

The Chair:

All right. We will please hold it to that agenda only and I have been told by everyone who works, does the job, including outside contractors that the city does it good and in fact they do it better and they do it cheaper. Our people are telling us get it on the record and let's try to do something about it. If we can't do it this spring, certainly next year.

Mr. Ricciardi:

Call for vote.

The Chair:

On the recommittal.

Mr. Ferlo:

1195 and 1196.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen
Mr. Ferlo
Ms. McDonald

Mr. Diven
Mr. Hertzberg
Mr. Udin

Mr. O'Connor
(Pres't)

(Mr. Onorato and Mr. Ricciardi voted
no.)

The Chair:

Bills are now ready for final action.
All those in favor of the passage of the
bills vote aye when your names are called;
all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken
agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES Eight NOES None

Bills have received the legally
required number of votes and have passed
finally.

Mr. Ferlo:

Can I ask the Clerk to please notify
the Public Works Department if he could
have in addition to Director whatever
asphalt staff, Mr. Tortorete, or other
appropriate staff? Also could we just get a
listing of streets that were completed last
year and whether or not they were done by
city work force versus the contractor
community I would appreciate having that
for tomorrow's discussion?

The Chair:

If it is possible, anyone who could
verify the figures us versus the outsider
what it costs? If it is possible.

MR. ONORATO PRESENTED:

Bill No. 1266:

Report of the committee on Planning,
Zoning, and Land Use for February 10,
1999, transmitting one resolution to
Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1052:

Resolution providing for the
addition of the property located at 920 Ft.
Duquesne Blvd., Block and Lot No. 009-
N-245, in the Second Ward, to the existing
Penn-Liberty Historic District, under
Section 513 of Chapter 1007 of the Code
of Ordinances.--(COUNCIL DISTRICT
No. 6)

The Chair:

You have heard the reading and
title of the bill, any discussion on the bill?
Bill is now ready for final action. All
those in favor of the passage of the bill
vote aye when your names are called; all
those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken
agreeably to law, and were.

AYES:

Mr. Cohen Mr. Diven
Mr. Ferlo Mr. Hertzberg
Ms. McDonald Mr. Onorato
Mr. Udin Mr. O'Connor
 (Pres't)

AYES Eight NOES None

Bills have received the legally required number of votes and have passed finally.

MS. MCDONALD PRESENTED:

Bill No. 1267:

Report of the Committee on Housing, Economic Development and Promotion for February 10, 1999, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1083:

Resolution adopting a Tax Increment Financing Plan presented by the Urban Redevelopment Authority of Pittsburgh creating the South Side Works Tax Increment Financing District and making certain findings. (PRESENTED BY MR. RICCIARDI), (HEARING HELD JANUARY 20, 1999).

Which was read.

Also,

Bill No. 1084:

Resolution authorizing a Cooperation Agreement or Agreements

with the Urban Redevelopment Authority of Pittsburgh, the County of Allegheny and the Pittsburgh City School District providing for the financing, monitoring, implementing and terminating of the South Side Works Tax Incremental Financing District. (HEARING HELD JANUARY 20, 1999).

Which was read.

Also,

Bill No. 1201:

Resolution Amending Resolution No. 617 of 1996 as amended by Resolution No. 826, effective November 1, 1996, and by Resolution No. 1001 of 1997, entitled "Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,155,600.00, chargeable to and payable from the 1996 Community Development Block Grant Program" so as to reprogram funds in City Council. --(SPONSORED BY MR. HERTZBERG)

Which was read.

Also,

Bill No. 1202:

Resolution Amending Resolution No. 624 as amended by Resolution No. 1000 of 1996 and by Resolution No. 250 effective May 17, 1997, entitled "Providing for the filing of a Community Development statement by the City of

Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1996 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories", so as to reprogram funds in City Council.---(SPONSORED BY MR. HERTZBERG)

Which was read.

Also,

Bill No. 1203:

Resolution Approving Execution of a Contract For Disposition of Land By and Between the Urban Redevelopment Authority of Pittsburgh and 800 Waterfront Associates for the sale of Parcel 5 (Block 48P Lot 215) in the Twenty Fourth Ward of the City of Pittsburgh in Redevelopment Area No. 45, 800 Waterfront Drive, Council District No. 1 (office building construction).

Which was read.

Also,

Bill No. 1204:

Resolution Approving Execution of a Contract For Disposition of Land By and Between the Urban Redevelopment Authority of Pittsburgh and Allegheny Center Associates, for the sale of Parcel 3 (Block 8G Lots 206 and 207) in the Twenty Second Ward of the City of

Pittsburgh in Redevelopment Area No. 21, Council District No. 1, 334 Federal Street (parking lot).

Which was read.

Also,

Bill No. 1233:

Resolution Approving execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Chartiers Nature Conservancy, Inc. for the sale of Parcels 11 and 14, for \$1.00 said property being located in the 28th Ward of the City of Pittsburgh, in Redevelopment Area No. 24, Block 108 H Lot 200 and Block 108 R Lots 239, 240, 242, 246, 50, 60 and 64 -- Summerdale Street --Council District No. 2 (recreation area).---COUNCIL DISTRICT NO. 2

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills? Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Udin	Mr. O'Connor

(Pres't)

AYES **Eight** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

MR. COHEN PRESENTED:

Bill No. 1268:

Report of the Committee on Lands, Building, and Procurement for February 10, 1999, transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1184:

Resolution providing for an agreement or agreements and/or a cooperation agreement or cooperation agreements and/or lease or leases authorizing the conveyance of lands and buildings, more commonly known as the River Rescue Facility and a tract of land located adjacent to said facility by and between the City of Pittsburgh and the Stadium Authority of the City of Pittsburgh (the Stadium Authority) at a cost of One Dollar (\$1.00). And also providing for an agreement or agreements of lease for approximately two thousand (2000) square feet of space located within PNC Park, for use of the River Rescue Unit for a term of approximately Twenty Nine (29) years, six (6) months at a cost of One Dollar (\$1.00) per year.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Bills are now ready for final action, all in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Udin	Mr. O'Connor

(Pres't)

AYES **Eight** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

MR. RICCIARDI PRESENTED:

Bill No. 1269:

Report of the Committee on Parks, Recreation and Youth Policy for February 10, 1999, transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1209:

Resolution Authorizing the Director of the Department of Parks and Recreation to enter into agreements in individual amounts of Ten Thousand Dollars (\$10,000.00) or less with various performers, instructors, artists and persons with specialized skills in connection with the Department's various recreational and instructional programs.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES **Eight** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

Under motions and resolutions.

MR. O'CONNOR PRESENTED:

No. 1270 A resolution authorizing the re-appointment of William Simmons to the City of Pittsburgh Magistrate Court, term to expire January 31, 2003.

Also,

No. 1271 A resolution authorizing the reappointment of Irene McLaughlin to the City of Pittsburgh Magistrate Court, term to expire January 31, 2003.

MR. FERLO moved to approve for purposes of discussion.

Mr. Ferlo:

I would like to urge that we vote today if it is possible on both of these appointments. Both of these individuals have served well the City of Pittsburgh and our residents on the city bench.

I want to thank the Mayor for re-appointing these folks. Our Chief Justice Mr. Simmons has done a great job not only dispensing justice but also being the chief administrator of the department and he has had a tough job. As well, I am very impressed with some of the advocacy initiatives he's set up in the community.

Judge McLaughlin I think has done a great job getting a management information system together working with Building Inspection Department. I think she is the first magistrate ever to put someone in the County Jail as a result of not dealing appropriately with fines and taking seriously their abuse of the building

code. I think we need to move on it.

MR. UDIN seconded the motion.

The Chair:

I will support your initiative. I think both of them are outstanding individuals and have well proven themselves over the last couple of years with an outstanding job. All in favor?

Which motion prevailed.

The Chair:

We have twenty appointments that just came over this morning for the Shade Tree Commission. I would like to give them to you today to look over and I believe we can approve them next week or if there is any questions before that.

Mr. Ferlo:

Thank you.

Mr. Onorato:

I think it is ironic that the Pittsburgh Shade Tree Commission came over and we probably killed about 20 trees to inform us about it.

The Chair:

We also have a pre-agenda Wednesday, tomorrow morning regarding two appointments before Mr. Udin's meeting tomorrow. And tomorrow evening we have a Public Hearing, Wednesday the 17th, at six o'clock in Council chambers for the creation of an Oakland business improvement district. It will be televised.

Mr. Ferlo:

Are we notifying folks about the evening hearing for the business improvement district? That's the first I heard about it.

The Chair:

They requested it and I believe the Oakland Development Corporation has led the charge. I am sure they have -- we made an exception because of all the small business owners have an opportunity to speak.

Mr. Ferlo:

Good point.

Mr. President, very quickly, I know the hour is getting late. I will have the pleasure of joining the picket lines Thursday morning outside the Board of Trustees at the University of Pittsburgh. I am very disappointed that I have to go out there and picket the Board of Trustees.

Nine years ago this City Council, albeit some members were not who were on the Council at the time in 1990 and have moved onto other careers and other positions of higher office, felt in their wisdom along with myself that it was appropriate to extend the protections under the Pittsburgh Human Relations Commission and the ordinance to discriminate faced by sexual minorities either real or perceived in the areas of public accommodation housing and employment. I believe since 1990 there have probably been a couple hundred cases where individuals rightfully sought and re-addressed their grievance before the

Human Relations Commission to their satisfaction and to the satisfaction of many involved.

And finally when I thought we were coming out of the woods with the University of Pittsburgh and the Syria Mosque battle and the Bigelow Boulevard battle, and it just seems like we have had to some extent and it is unfortunate because the University of Pittsburgh is so important to this community, to employment, culture, you name it. It is a great institution and it's a bedrock of the City of Pittsburgh. I find it ironic if not really disappointing that after so much public debate and dissention and discourse in 1990, finally leading up to passage of the Pittsburgh Human Rights Ordinance extending the HRC protections, that it is the University of Pittsburgh itself now that is poised legally with its corporate law firm to undo or negate the very essence of that Council ordinance in 1990.

I think it's a slap in the face to all residents in the City of Pittsburgh. I think it is unfortunate the Board of Trustees has not intervened with their corporate lawyers who are representing the University and the dispute around domestic partnership but to go after the ordinance itself I think it is a terrible mistake. I hope that the City of Pittsburgh and I know our Law Department is already working to prepare legal briefs to defend our code of ordinance and to defend the Human Relations Commission prerogative.

I think it's very unfortunate that it is the University of Pittsburgh that I think should be of any major employer in the City of Pittsburgh should have much more of an enlightened view about the change of character of our city and being fair and

being in principle for equal justice under the law. I would expect that it would be the University of Pittsburgh and the Board of Trustees. Needless to say, I am very disappointed.

I will be joining that picket line Thursday morning. I ask others in the community that care about this issue to come out Thursday morning at the Board of Trustees meeting to let them know that it is not just a university issue. But if you are going to gut and negate the amendments that this Council struggled over and it was a lot of public discourse and debate and it was democracy in action. Obviously there is some for whatever reasons a lot of misinformation at the time it was a hot and heavy debate and we resolved it and I think to the satisfaction of all. I think we see the situation nine years later where it has been a proper amendment and been a proper remedy for many people who feel that they have suffered or faced some level of discrimination in housing public accommodation and employment.

So, I think it is a major step backwards. I am extremely disappointed at the University of Pittsburgh. It has already soured at least my own personal view of the sports complex that is being proposed for the Southside and the people that are criticizing me and saying oh don't beat up on Pitt on other issues because of this issue, but I am sorry. I mean we are trying to be partners with the University of Pittsburgh. I applaud them for their work in supporting the business improvement district. We have committed so much public and state funds and just so it is clear that I have a level criticism here, I am also criticizing the for profit attorney in the ACLU that is representing the client in this

case. Because I don't believe that you can win on the domestic partnership issue by utilizing the City's Home Rule Ordinance, the city's HRC ordinance. I think the ordinance has a different intended policy and purpose. I think it is improper for the advocates of the plaintiff to use that as a way to defend the right or the need of the University of Pittsburgh to the extent of domestic partnership.

I have my own views about domestic partnership, I am supportive of it, but the fact of the matter is I don't think because we extended the HRC ordinance, that you can use that in a court of law to say de facto Pitt should be supporting domestic partnership. They should be doing it because it is the right thing and because it is a negligible amount of money as opposed to the corporate law firm that they hired to gut the HRC ordinance.

So, I would ask that as this battle unfolds, that people consider joining me out there at the Board of Trustees. I would ask that the Law Department not only file the appropriate briefs and defend our ordinance but if there are community organizations out there that would like to file a friend of the court briefs I would ask that they consider doing that. I would ask that the University, obviously they have to do their fiduciary job at defending their interests, but I would ask the board to find some way to raise their debate about domestic partnership, but not do it at the expense of an equal justice clause in the city code of ordinances.

Mr. Cohen:

On the same issue, Mr. President, I will also be out there on Thursday. I have told the people who are organizing this

rally or picket whatever it is that I will be there and the reason is because as Councilman Ferlo said, it was this Council that passed the non-discrimination ordinance in 1990.

I was proud to be a co-sponsor of that legislation and the University of Pittsburgh is making an argument in a legal case that could have the effect of doing away with that ordinance and that would be in my view a drastic problem. This is all in the context of a case before the City of Pittsburgh's Human Relations Commission called Henson versus University of Pittsburgh and I have the legal briefs here that I have been reading.

The case has to do with as Councilman Ferlo said whether the University of Pittsburgh should by law be granting domestic partnership benefits particular health care benefits. The University of Pittsburgh in its motion to dismiss included an argument that the City of Pittsburgh anti-discrimination ordinance is not legal. The Chancellor of the University of Pittsburgh and the Board of Trustees may say that that is just a legal argument, but it is not, it is more than that. It is a policy position of the University of Pittsburgh when they put it in a written brief before the Human Relations Commission. That policy position is at odds with the City of Pittsburgh and they need to address that directly whether they truly believe that the City of Pittsburgh should not have an anti-discrimination ordinance on the basis of sexual orientation.

I can't believe that in as we approach a new century that the University of Pittsburgh would actually take that as a policy position as opposed to a legal

position. My view is they are one in the same. So, I will be there on Thursday to try to urge the University of Pittsburgh to take this position away from their briefs and not stand in opposition to a long standing statute in our book of ordinances that many, many people have used to redress their grievances. It is an important statute, it is one that was passed by City Council, albeit in 1990 but one that I think we should all stand up and defend because it is totally a statute having to do with abolishing discrimination of the City of Pittsburgh. I can't believe that the University of Pittsburgh would say we should not abolish discrimination in the City of Pittsburgh.

I can't believe that they would do that as a policy matter. I am going to be and I know Councilman Ferlo already did, but I am going to be calling Chancellor Nordenburg on this issue just to inform him of it if he doesn't already know because the University of Pittsburgh is such an important asset in the city and it is hard for me to believe that they would actually be taking this position. So, I hope that they resolve it.

Mr. Udin:

I just want to remind colleagues how important it is for us to consistently stand up for civil right laws across the board because as the saying goes if you let them come for me to night, they will be coming for you in the morning. I believe this same very ultra conservative legal interpretation is also what caused the University of Pittsburgh to back away from a long standing practice last year in affirmative action policy to women and minority contractors doing business in the University of Pittsburgh.

They formed a task force and then just decided to abandon the task force and withdraw their entire policy on fair distribution of contracts at the University of Pittsburgh. I believe it is the same law firm as a matter of fact that is rendering the same very conservative opinions and somehow the University of Pittsburgh feels compelled to backtrack on progressive legislation that they had supported for a very long time.

So I join the concerned and the protest of Councilman Ferlo and Councilman Cohen I will not be able to join him on Thursday morning but I surely will extend my concerns in writing to the University Chancellor and the board of trustees.

Mr. Ferlo:

Thank you, Mr. Udin. I would also ask and I will ask directly I am not asking for a motion but I think the public officials that are on that board including judges, state representatives, state senators, including a number of very progressive foundations and corporate leaders of our city, I think they need to speak out clearly at this board meeting on Thursday and try resolve this issue. Especially the public officials, I think Representative Robinson is on the board. I don't know if Mr. Irveiss (phonetic) is still on the board, obviously he is retired but there is a large number of I think Judge Flaherty, Jim Flaherty, who I worked very hard for in his commonwealth court election. There are a number of elected officials on that board and I would ask that they please speak out on this issue and try to sort out an internal discussion or debate about domestic partnership from the very essence of our

ordinance in the city.

The Chair:

Can I ask you a question? Should we be asking our Law Department for an opinion? I agree with you, it seems like --

Mr. Ferlo:

The Law Department is already involved. They are going to litigate and defend our ordinance.

The Chair:

It looks like they are mixing apples and oranges I was very disappointed the way they approached it.

Mr. Ferlo:

I also think the plaintiffs are mixing apples and oranges too as far as I am concerned.

The Chair:

I meant the University of Pittsburgh.

Mr. Udin:

A different matter. I just want to thank colleagues for their attention and sitting through a very long and emotional Public Hearing last week on Pittsburgh Works. You know the city was very hopeful and we all celebrated at least many of us celebrated with the passage of Plan B because people are very hopeful of the opportunity for employment. Whether or not those who have been chronically and intergenerationally unemployed for a long time in this city get an opportunity to

benefit from this construction largely lies with the passage of this legislation of Pittsburgh Works.

So I want to encourage Council colleagues also to again be attentive and be open with their hearts and open with their ears when people come forward at the next public hearing. I don't want to in anyway sound threatening but I really want to share with you a sense of a dark cloud of doubt that is beginning to form in the minds of a lot of unemployed people in this city as to whether or not this Council will actually support Pittsburghers getting a share of the employment.

I remember way back to the ugly confrontations that occurred during the Pittsburgh plan days when marches and demonstrations and ranker and people were throwing things at each other, the construction workers were throwing things down of the scaffold. It was a very angry and violent period. We don't have to repeat that 30 years later. We can avoid that and I hope that Council will take the kind of leadership that will enable us to avoid a similar kind of confrontation here as we enter the year 2000.

Again the next Public Hearing will be Thursday, February 25th at 6:30 p.m. at Peabody High School and immediately after that the bill will be coming back to Council force the liberation and decision. I hope Council will have the courage to vote with the citizens of the people even though it maybe a vote that certain labor union leadership may not like.

Mr. Ferlo:

It's unfortunately too late in the hour to start a debate about the ordinance

and I want to thank Councilman Udin because he obviously put a lot of hard work into this. But unfortunately based on his comments just now, I can see where this polarization to some extent is leading and that's how if we don't support his ordinance some how we have turned our backs on those residents in our city who are most deserving and most in need of meaningful employment.

I am not voting to create a new bureaucracy. I am not going to vote to create further dissention between unionized workers both black and white and women and underemployed or those who have been disenfranchised for a variety of different reasons. So whatever the bottom line is, I hope through the public debate of these hearings, and I have been trying to be as attentive as possible, I apologize I had to leave the last half hour of the last meeting, I look forward to the meeting on the 25th. But I would like a legal review of the actual ordinance so that we can have a discussion about that. I would like to try to find some way that we can discuss the bill without the atmosphere of polarization on this issue.

There is a policy fairness here and I will pick an example. We have approved tax increment financing for a number of projects in this city that have not proposed to extend the residency requirement. As opposed to for instance the Plan B projects which you could probably fairly argue disproportionately are being paid for by residents at a county wide level through the RAD, through the state sales tax, I mean through the state capital bond fund, and the like. Now I don't want to be presented with like if I am not allowed to discuss those kinds of fairness issues that somehow I am backtracking or I am in the

pocket of labor movement and the like. I hope we can have a spirited debate and discussion about the bottom line.

To me the bottom line is how do we make sure that the boat rises, it lifts, that the rising tide rising in this city with Plan B et al that that boat lifts everybody's tide not just the individuals that are in the trades or not just the developers locally, not just the contractors. So, I am unfortunately already hearing to some extent and I respect the passion around the bill because it is important, but I hope at some point we can have a frank discussion about not solely the legality of the bill, but how is the bill actually going to have an impact and what will actually have an impact for at least the intended purpose?

So, I am not going into this bill around an atmosphere of polarization, and I am not going to be like yelled at or screamed into supporting a bill if it is not in the end going to achieve what I hope is going to be the intended goal.

Mr. Udin:

I am just confused by how we can advocate for another level of bureaucracy to correct the injustice at the University of Pittsburgh to discriminate against gays but now all of a sudden we're not supporting a non-level of bureaucracy because it supports and looks out for a fair employment in the city? I don't understand the in balance. The so-called bureaucracy is necessary to defend the rights of certain people who have been historically excluded from the market place. That is why it is not an extra unnecessary layer of bureaucracy. These are necessary layers of monitoring and data gathering that is essential to correct

long standing wrongs. If we are going to be consistent, let's be consistent across the board. I can wait until the debate comes back to the table.

Mr. Ferlo:

I also look forward to hearing Councilman Udin on the administration of the bill which unfortunately because of maybe the way the hearing went there wasn't really time to kind of lay out what the perimeters of the bill are and what your view is as to why the commission is, what it will do and how will it respond to the administrative obligations under the codes?

The Chair:

We have a public hearing.

Mr. Udin:

I will be looking forward to laying that out.

MR. COHEN moved to adjourn the meeting.

MR. ONORATO seconded the motion.

And on the motion made by Mr. Cohen, the meeting adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXIII

February 23, 1999

No. 8

Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, February 23, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

Will you all please rise for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

Today we have Kadirra Wallace Gaine she is a third grade student at East Hills School and she is accompanied by her parents and her grandmother. Say hello to Mr. Nicholas when you go back, your principal.

Kadirra Wallace:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you. Here we have a flag of our country and our city for you. Ms. McDonald will come up and take a picture with us.

PRESENTATIONS

MR. COHEN PRESENTED:

No. 1272 WHEREAS, Judge Robert E. Dauer was appointed to the Court of Common Pleas of Allegheny County in 1972 and subsequently was elected to the first of three ten year terms; and

WHEREAS, in 1977 Judge Dauer was elected by the Criminal Court Judges as Administrative Judge of the Criminal Division, a position he held through 1993 when he was elected unanimously by all of the Judges of the Court of Common Pleas to the position of President Judge; and

WHEREAS, Judge Dauer introduced the PDQ System of disposing of plea bargains in 1990 and to date over 18,000 non-violent criminal cases have been disposed by this program, over 14,000 by Judge Dauer himself; and

WHEREAS, in 1995, Judge Dauer was named the recipient of the annual award of the St. Thomas More Society of Catholic lawyers and was honored by the Allegheny County Bar Association in 1997 with its prestigious Philip Werner Amram Award; and

WHEREAS, in addition to his daily caseload and administrative duties, Judge Dauer has taught legal courses at the Community College of Allegheny County, Robert Morris and Point Park College. In 1998, the University of Pittsburgh School of Law accorded to him its Judicial Leadership Award for his distinguished service on the bench.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend and congratulate Judge Robert E. Dauer for his bold leadership and visionary approach during his tenure on the bench of the Allegheny County Court of Common Pleas.

MR. COHEN moved adopt the resolution.

MR. DIVEN seconded the motion.

Which motion prevailed.

Ms. McDonald:

This is presented by Councilman Hertzberg, myself and Councilman Udin. Would the party for the kings and queens of Africa come forward? All right. I am going to read the proclamation, which the primary sponsor is Councilman Hertzberg.

MR. HERTZBERG, MS. MCDONALD AND MR. UDIN PRESENT:

No. 1273 WHEREAS, The Kings & Queens of Africa, in celebration of Black History Month, are presenting the Fifth Annual "Spirit of Life Awards"; and

WHEREAS, the Spirit of Life Awards are presented to individuals who unselfishly made contributions to society and have been role models for others to follow; and

WHEREAS, the Award Ceremony will take place Saturday, February 27, 1999 in the Emerald Room on Chartiers Avenue, McKees Rocks, PA with this years Master of Ceremonies Mr. Harvey Adams; and

WHEREAS, this years honorees of "The Spirit of Life Awards" are:

Marlene Banks	Ida Bryant
Scholarship Program	
Lois Burkholder	President of the
State of Pennsylvania Women's Caucus	
Ora Lee Carrol	Community Activist
Louis C. Coles	Magistrate, City of
Pittsburgh	
Nate Harper	Assistant Chief of Police,
City of Pittsburgh	
Florence Frances Kennedy	Salvation
Army Division Headquarters MSW, CSM	
Connie (Bunny) Mozee	McKees
Rocks Family Foundation	Community
Organizer	
June Patterson	Deputy Warden of
Allegheny County, President	
Thomas H. Sumpter, Jr.	WCXJ
Radio Host	
Charles Watkins	Holy Family
Institute Youth Counselor	
Cyril H. Wecht	Coroner of
Allegheny County	

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh commends the Kings & Queens of Africa and congratulates all of the recipients of "The Sprit of life Awards" and thanks them for contributing time to the communities and for being positive role models for others to follow.

MR. ONORATO moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Ms. McDonald:

Thank you. I think that Wanda Dixon would best be able to describe what are the kings and queens of Africa? Maybe how they got started and when I mean five years ago and why they started to honor people with the spirit of life award? So congratulations to the kings and queens of Africa.

Ms. Dixon:

The kings and queens of Africa are an organization that believes empowering people through economics, education and politics. We're a grass root organization from McKees Rocks and we have branched out every where. We believe in giving anyone and everyone a helping hand.

I would like to now introduce my Vice President, Gerard Thompson, our secretary, Betty Robinson, our Chairman, Richard Stewart, Frank Morris, John Wilson. I thank you very much. Thank you for this award.

By the way tickets are still available and the event is February 27th at 8:00 p.m. Thank you.

Mr. Udin:

Thank you. I just want to congratulate Brother Stuart, Ms. Dixon every year these awards are given to people who might other wise just contribute to the community and have those contributions go unrecognized. But even more so than just recognizing the spirit of community service and volunteerism of outstanding community leaders, it's important that you continue to promote during black history month the culture of African people and African American people. That's more important than all the programs put together. The ability to tap into the strength of African culture and history and to bring that strength forward and recognize it for role models for our children today to benefit from. That's what will make the difference in changing our lives providing role models that people can really see.

So thank you very much for keeping an important tradition alive. Anyone who has not yet purchased a ticket to attend the affair, Saturday the 27th please do so by making-- how can people-- is there a telephone number people can call? 771- 5867 they can call between the hours of six to eight p.m. -- You can call 24 hours a day. Thank you very much.

Ms. McDonald:

We have a resolution for Elizabeth McCombs. I will read the resolution.

MS. MCDONALD PRESENTS:

No. 1274 WHEREAS, Elizabeth McCombs, was the second African-American Librarian for the Carnegie Library of Pittsburgh; and

WHEREAS, Elizabeth McCombs, began her career as a children's librarian in 1947. She was eager to teach children of all age groups, from tiny tots to sixth grade students the importance of reading; and

WHEREAS, Although Ms. McCombs enjoyed her job as a Hill District Librarian she soon realized that the library was not reaching the masses of children in the community. Ms. McComb immediately felt the need to do something to reach the children that the library had been unable to reach; and

WHEREAS, Elizabeth McCombs was instrumental in beginning the "Book Van". The "Book Van" was a small van that carried mostly paperback books around to the communities for all the children to enjoy. Several years later a larger van was purchased and more books were able to be purchased; and

WHEREAS, Elizabeth McCombs was able to retire from the Carnegie Library after 31 years of service as Supervisor of Inter-City Services.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Elizabeth McCombs for being instrumental in opening the doors of knowledge to our youth through "books".

MR. ONORATO moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

I don't know if we're going to let you retire.

Ms. McDonald:

I think this is wonderful for black history month to acknowledge that we do have historic figures here and they are alive and well. And we can look up to them and say thank you for starting something and paving pathways for us and starting to open up doors that other wise would not have been open to us.

So thank you so much Ms. McCombs. I don't have a list of all of your entourage. Ms. McCombs has a large entourage of people. Many of them librarians, sorority sisters, Alpha Cappa Alpha, who just had their founders day weekend about two weeks ago. And Councilman Udin and myself had attended the festivities as well as friends of the library. Did I get everyone? Saint James AME Church, part of Council District Nine. Thank you so much.

Now without further ado Ms. McCombs would you like to say anything? Just say thank you.

Ms. McCombs:

This is really an occasion, which I just had not even dreamed of. I want to first of all thank those of you who have taken time out from your busy lives to come here to honor me. What can I say? Well only that I can see that much of what I started is still being carried on.

I was very surprised when I returned to Pittsburgh, it's been ten years now and saw that some of the things that I had just started were being carried on, they forced the library. It was really a force. The parents recognized the importance of books and reading for their children. They would not give up; they would not destroy what had been started. So we now as you can see from the young people who were here today that there is much to be said about books and learning and reading or reading and learning. And not only that, it is a past time that I don't think will ever disappear from this earth. At least we hope not.

So thank you those of you who came to honor me. Thank you, Ms. McDonald, for letting us take up this time. I hope that you have well many years ahead of you to accomplish many things I would like to do but as you climb up that ladder of age, you find you can't get around as you once did. So, it's not a farewell it is just so long.

Mr. Udin:

I just want to take a moment if I may to extend my personal congratulations to Ms. McCombs. On behalf of a lot of young, naughty kids who would run in off the streets into the libraries and find ourselves being disciplined by librarians like yourselves, to make us be quiet and open up a book and sit down and read it. It provided for us a whole new world of information that we often didn't have at home. We didn't have the kind of books at home that you see in the library and it provided a safe haven and alternative to getting into trouble on the streets.

I know that August Wilson who is a person who I went to grade school with, every time he is asked what is it that most strongly influenced you to become a writer, he says it was the public library system in the Hill District where he grew up. The staff in those libraries that encouraged him to read and to become exposed to other writers and to music and to all the things that were available for someone coming into the library. So sometimes librarians don't really see the result of their work because people leave the library and then go on to other more famous things, but you are certainly responsible for the success of a lot of the young people I know who personally I grew up with. I just want to say thank you very, very much.

Ms. McDonald:

Now I am going to need my staff member to help orchestrate this. If the cameras would focus in on the audience. These are going to be the honorees for Black History Month sponsored by myself and all members of Council.

Now where we got the idea was this, we have given numerous resolutions, Council as a body before I was here has always given numerous resolutions to individuals who deserve to get acknowledged in City Council for Black History Month as well as any other month. And I had talked to Twanda I said I would like to be doing something a little bit different because it seems like everyone has gotten a resolution already. And I said we need to look at unsung heroes. Let's focus on folks who you never hear about them, you never hear them on the radio, you don't see their face on TV, you don't see them at all, but they are busy doing

good work for others.

While we were talking, she had thought about children and didn't know how we were going to do it and then a tragedy happened in Homewood. We are commemorating our youth in honor of Ebony Patterson. Simply because we don't know how long we will have our youth. And we want to give them their flowers and their props and their honor while we have them. So this commemoration is for our youth. For African American youth who have overcome obstacles, who are doing well, who are doing their best to make sure they achieve and also who will make us proud and hopefully will reach back one day and help others a long the way.

So this is an honor of Ebony Patterson. We're giving our props to our youth while you are here. Now Twanda is going to -- again, I have to give a lot of acknowledgement to Twanda Carlisle, my chief of staff, who worked feverishly -- the entire staff, she is so diplomatic. I know who was here late last night. But really to all my staff who worked very feverishly to insure that we have the information.

I believe it was 20 schools, was it 20?

Ms. Carlisle:

We had over 150 letters, faxes that came from the schools throughout City of Pittsburgh as well as the parochial schools.

Ms. McDonald:

I am going to repeat it so they can hear. We had 150 letters faxed out to the schools. We're not talking just to the City

of Pittsburgh Public Schools, we tapped into all the private schools, we tapped into parochial schools, we tapped into all the schools throughout the City of Pittsburgh and out of that -- what did we do?

Ms. Carlisle:

We got about 30 finalists.

Ms. McDonald:

We have 30 students who are finalists. So we're going to call them up in groups because there are so many out there and we're just so proud. These resolutions, students so that you understand are sponsored by each and every Council member. All nine of us are giving this to you. And I wish there was a way we could have all nine of us plus the families, just the logistics aren't there. But we'll figure it out.

Ms. Carlisle:

Read the first five names that you have.

Ms. McDonald:

I am going to call the names and the families come forward. Each of you all will be getting, Reverend Grigsby is here. Now for your information these are not duplicate resolutions. The first few paragraphs are similar. But there is one paragraph in there that is just for the student. So there are 30 different resolutions here. What I am going to do is read the first, second and the last paragraph and then I am going to call the student up with their family and I am going to read the paragraph that is just modified for them and them alone.

Sunni Ali Herndon, your mom and grandmother are with you.

MS. MCDONALD AND ALL COUNCIL MEMBERS PRESENT:

No. 1275 WHEREAS, during the month of February we celebrate Black History Month; and

WHEREAS, during February we have saluted some of histories greatest achievers such as; Phyllis Wheatley, a slave who put her own fears aside and made dozens of trips into the South to assist other slaves through the Underground Railroad to migrate North to "Freedom"; Rosa Parks, a seamstress from Montgomery, Alabama who on December 1, 1955 decided that she was too tired to get up from the seat she occupied on the bus to allow a white person the seat, thus this was the beginning of the Montgomery Bus Boycott; Dr. Martin Luther King Jr., Civil Rights Leader who in December 1964 won a Nobel Peace Prize for his nonviolent approach for Justice; and Dr. Mae C. Jemison, a pioneering African-American astronaut, a mission specialist, in 1992 she flew on the shuttle "Endeavor"; and

WHEREAS, today we salute some of Pittsburgh's young achievers, present and future. "Young, Gifted, and Black"; and

WHEREAS Sunni Ali Herndon attends Conroy Education Center. At Age seven (7) Sunni was diagnosed with autism however, that did not deter Sunni somehow he taught himself to read. Now at 20 years of age, Sunni is a very responsible young man. He is now the

schools mailperson. Sunni is a member of the chorus, he is a Special Olympian, and he has come in 1st place in the ARC Allegheny Art Calendar Contest

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Sunni Ali Herndon for his determination and commitment to succeed.

Ms. McDonald:

Congratulations.

Daniel Miller. The man that gave me his business card. He is with his sister and mom. Mr. O'Connor sent the letter since he was highlighted in a publication.

Also,

No. 1276 WHEREAS, during the month of February we celebrate Black History Month; and

WHEREAS, during February we have saluted some of histories greatest achievers such as; Phyllis Wheatley, a slave who put her own fears aside and made dozens of trips into the South to assist other slaves through the Underground Railroad to migrate North to "Freedom"; Rosa Parks, a seamstress from Montgomery, Alabama who on December 1, 1955 decided that she was too tired to get up from the seat she occupied on the bus to allow a white person the seat, thus this was the beginning of the Montgomery Bus Boycott; Dr. Martin Luther King Jr., Civil Rights Leader who in December 1964 won a Nobel Peace Prize for his nonviolent approach for Justice; and Dr. Mae C. Jemison, a pioneering African-American astronaut, a mission specialist,

in 1992 she flew on the shuttle "Endeavor"; and

WHEREAS, today we salute some of Pittsburgh's young achievers, present and future. "Young, Gifted, and Black"; and

WHEREAS Daniel Miller, Jr. a student at Linden Academy is already an entrepreneur. Daniel runs Daniel Miller Jr's Custom Postcards from his Homewood residence. Daniel creates designs for stationery, postcards, and letterhead. Recently Daniel obtained his own website. Some of Daniels clients include Danny Glover and celebrity Attorney Johnnie Cochran.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Daniel Miller, Jr. for having a vision and the desire to make it become a reality.

Ms. McDonald:

Courtney Clark, she is here with her mom, dad, little sister, and Counselor.

Also,

No. 1277 WHEREAS, during the month of February we celebrate Black History Month; and

WHEREAS, during February we have saluted some of histories greatest achievers such as; Phyllis Wheatley, a slave who put her own fears aside and made dozens of trips into the South to assist other slaves through the Underground Railroad to migrate North to "Freedom"; Rosa Parks, a seamstress from Montgomery, Alabama who on December

1, 1955 decided that she was too tired to get up from the seat she occupied on the bus to allow a white person the seat, thus this was the beginning of the Montgomery Bus Boycott; Dr. Martin Luther King Jr., Civil Rights Leader who in December 1964 won a Nobel Peace Prize for his nonviolent approach for Justice; and Dr. Mae C. Jemison, a pioneering African-American astronaut, a mission specialist, in 1992 she flew on the shuttle "Endeavor"; and

WHEREAS, today we salute some of Pittsburgh's young achievers, present and future. "Young, Gifted, and Black"; and

WHEREAS Courtney Clark is a 5th grade student at Liberty International Studies Elementary School. Courtney is an active member of the Red Cross Club. She visits the Heartland Nursing Home where she interacts with the residents. Courtney's warm smile always leaves the Senior Citizens awaiting her next visit.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Courtney Clark for her outstanding academic and community achievements.

Ms. McDonald:

Erica Davis. Erica has her brothers, father, teacher, and mom.

Also,

No. 1278 WHEREAS, during the month of February we celebrate Black History Month; and

WHEREAS, during February we have saluted some of histories greatest achievers such as; Phyllis Wheatley, a slave who put her own fears aside and made dozens of trips into the South to assist other slaves through the Underground Railroad to migrate North to "Freedom"; Rosa Parks, a seamstress from Montgomery, Alabama who on December 1, 1955 decided that she was too tired to get up from the seat she occupied on the bus to allow a white person the seat, thus this was the beginning of the Montgomery Bus Boycott; Dr. Martin Luther King Jr., Civil Rights Leader who in December 1964 won a Nobel Peace Prize for his nonviolent approach for Justice; and Dr. Mae C. Jemison, a pioneering African-American astronaut, a mission specialist, in 1992 she flew on the shuttle "Endeavor"; and

WHEREAS, today we salute some of Pittsburgh's young achievers, present and future. "Young, Gifted, and Black"; and

WHEREAS Erica Davis is a 5th grade high honors student at Overbrook Elementary School. Erica is actively involved with Junior Achievement. She is a Girl Scout and involved in theater. Erica plays the violin and is active in the school's instrumental music program.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Erica Davis for her outstanding academic and community achievements.

Ms. McDonald:

Kadirra Wallace. You are with your mom and dad.

Also,

No. 1279 WHEREAS, during the month of February we celebrate Black History Month; and

WHEREAS, during February we have saluted some of histories greatest achievers such as; Phyllis Wheatley, a slave who put her own fears aside and made dozens of trips into the South to assist other slaves through the Underground Railroad to migrate North to "Freedom"; Rosa Parks, a seamstress from Montgomery, Alabama who on December 1, 1955 decided that she was too tired to get up from the seat she occupied on the bus to allow a white person the seat, thus this was the beginning of the Montgomery Bus Boycott; Dr. Martin Luther King Jr., Civil Rights Leader who in December 1964 won a Nobel Peace Prize for his nonviolent approach for Justice; and Dr. Mae C. Jemison, a pioneering African-American astronaut, a mission specialist, in 1992 she flew on the shuttle "Endeavor"; and

WHEREAS, today we salute some of Pittsburgh's young achievers, present and future. "Young, Gifted, and Black"; and

WHEREAS Kadirra Wallace, is a 3rd grade High honors student at East Hills Elementary School. Kadirra has a 4.0 grade point average and she also has perfect attendance. She plays the violin and takes ballet lessons. Kadirra is a Girl Scout and in her spare time she enjoys reading to younger students.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City

of Pittsburgh recognizes and commends Kadirra Wallace for her outstanding academic and community achievements.

Ms. McDonald:

Congratulations.

Carmela Malloy. Her mom and dad are here too.

Also,

No. 1280 WHEREAS, during the month of February we celebrate Black History Month; and

WHEREAS, during February we have saluted some of histories greatest achievers such as; Phyllis Wheatley, a slave who put her own fears aside and made dozens of trips into the South to assist other slaves through the Underground Railroad to migrate North to "Freedom"; Rosa Parks, a seamstress from Montgomery, Alabama who on December 1, 1955 decided that she was too tired to get up from the seat she occupied on the bus to allow a white person the seat, thus this was the beginning of the Montgomery Bus Boycott; Dr. Martin Luther King Jr., Civil Rights Leader who in December 1964 won a Nobel Peace Prize for his nonviolent approach for Justice; and Dr. Mae C. Jemison, a pioneering African-American astronaut, a mission specialist, in 1992 she flew on the shuttle "Endeavor"; and

WHEREAS, today we salute some of Pittsburgh's young achievers, present and future. "Young, Gifted, and Black"; and

WHEREAS, Carmela Malloy is an honor roll student at Phillip Murray Elementary School. Carmela serves as a school patrol, sings in the choir, and has been in the scholars program for the past three years. She serves on the Usher Board and the hospitality committee at her church. When there was a fire in the area Carmela organized the fifth grade students to raise money for the family.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Carmela Malloy for her academic and unselfish community involvement.

Ms. McDonald:

Jessica Thomas. Jessica is here with her Mom, dad and mentor.
Also,

No. 1281 WHEREAS, during the month of February we celebrate Black History Month; and

WHEREAS, during February we have saluted some of histories greatest achievers such as; Phyllis Wheatley, a slave who put her own fears aside and made dozens of trips into the South to assist other slaves through the Underground Railroad to migrate North to "Freedom"; Rosa Parks, a seamstress from Montgomery, Alabama who on December 1, 1955 decided that she was too tired to get up from the seat she occupied on the bus to allow a white person the seat, thus this was the beginning of the Montgomery Bus Boycott; Dr. Martin Luther King Jr., Civil Rights Leader who in December 1964 won a Nobel Peace Prize for his nonviolent approach for Justice; and Dr. Mae C. Jemison, a pioneering African-

American astronaut, a mission specialist, in 1992 she flew on the shuttle "Endeavor"; and

WHEREAS, today we salute some of Pittsburgh's young achievers, present and future. "Young, Gifted, and Black"; and

WHEREAS, Jessica A. Thomas is a 7th grade, honor roll student at Arsenal Middle School. She is actively involved in Student Council. Jessica was one of several volunteers to plant flowers at the New Shop N' Save Market in her community. Jessica was nominated for the 1999 Prudential Spirit of Community Award.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Jessica A. Thomas for her academic and community achievements.

Ms. McDonald:

Rachel Howze. I believe that's why Councilman Udin is up here. Rachel is here with her mom and her grandmother, and aunt and how many are there? Principal, Ms. Telefarro, and her social studies teacher. Everyone is down here for Rachel.

Also,

No. 1282 WHEREAS, during the month of February we celebrate Black History Month; and

WHEREAS, during February we have saluted some of histories greatest achievers such as; Phyllis Wheatley, a slave who put her own fears aside and

made dozens of trips into the South to assist other slaves through the Underground Railroad to migrate North to "Freedom"; Rosa Parks, a seamstress from Montgomery, Alabama who on December 1, 1955 decided that she was too tired to get up from the seat she occupied on the bus to allow a white person the seat, thus this was the beginning of the Montgomery Bus Boycott; Dr. Martin Luther King Jr., Civil Rights Leader who in December 1964 won a Nobel Peace Prize for his nonviolent approach for Justice; and Dr. Mae C. Jemison, a pioneering African-American astronaut, a mission specialist, in 1992 she flew on the shuttle "Endeavor"; and

WHEREAS, today we salute some of Pittsburgh's young achievers, present and future. "Young, Gifted, and Black"; and

WHEREAS, Jerome White, Jr. is a member of the National Honor Society and the Senior Class President at Perry Traditional Academy. Jerome is also a member of P.S.C.C., Parent Student Community Council. He has received numerous awards, most recently he was the National winner of the 1997 Japanese Speech Award, in New York. Jerome has had the honor of being the recipient of 2 Distinguished Achievements Awards from the Pittsburgh Board of Education.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Rachel Howze for her "heroic" measures and assuring the safety of others.

Ms. McDonald:

Jamelle Tyler.

Also,

No. 1283 WHEREAS, during the month of February we celebrate Black History Month; and

WHEREAS, during February we have saluted some of histories greatest achievers such as; Phyllis Wheatley, a slave who put her own fears aside and made dozens of trips into the South to assist other slaves through the Underground Railroad to migrate North to "Freedom"; Rosa Parks, a seamstress from Montgomery, Alabama who on December 1, 1955 decided that she was too tired to get up from the seat she occupied on the bus to allow a white person the seat, thus this was the beginning of the Montgomery Bus Boycott; Dr. Martin Luther King Jr., Civil Rights Leader who in December 1964 won a Nobel Peace Prize for his nonviolent approach for Justice; and Dr. Mae C. Jemison, a pioneering African-American astronaut, a mission specialist, in 1992 she flew on the shuttle "Endeavor"; and

WHEREAS, today we salute some of Pittsburgh's young achievers, present and future. "Young, Gifted, and Black"; and

WHEREAS, Jamelle Tyler is a 5th grade honor roll student at Chartier Elementary School. Jamelle is also a Citizenship honor student. He is actively involved in the Youth Crime Watch Program and a School Safety Patrol member.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends

Jamelle Tyler for his academic and unselfish community achievements.

Ms. McDonald:

Janai Williams. Janai is not here. I am going to read Janai's.

Also,

No. 1284 WHEREAS, during the month of February we celebrate Black History Month; and

WHEREAS, during February we have saluted some of histories greatest achievers such as; Phyllis Wheatley, a slave who put her own fears aside and made dozens of trips into the South to assist other slaves through the Underground Railroad to migrate North to "Freedom"; Rosa Parks, a seamstress from Montgomery, Alabama who on December 1, 1955 decided that she was too tired to get up from the seat she occupied on the bus to allow a white person the seat, thus this was the beginning of the Montgomery Bus Boycott; Dr. Martin Luther King Jr., Civil Rights Leader who in December 1964 won a Nobel Peace Prize for his nonviolent approach for Justice; and Dr. Mae C. Jemison, a pioneering African-American astronaut, a mission specialist, in 1992 she flew on the shuttle "Endeavor"; and

WHEREAS, today we salute some of Pittsburgh's young achievers, present and future. "Young, Gifted, and Black"; and

WHEREAS, Janai-Michelle Williams, is an honor roll student at Perry Traditional Academy. Janai is 2nd in her class (Salutatorian). She is the Vice-

President of the Senior Class and she is actively involved with Junior Achievement. Janai is a volunteer in the Children's Hospital Surgical Unit and she is also involved with the UPMC Medical Explorers program. Janai has been listed in Who's Who Among American High School Students

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Janai Michelle Williams for her academic and community leadership.

Ms. McDonald:

Dominique Johnson. She is here with her Principals and your mom.

Also,

No. 1285 WHEREAS, during the month of February we celebrate Black History Month; and

WHEREAS, during February we have saluted some of histories greatest achievers such as; Phyllis Wheatley, a slave who put her own fears aside and made dozens of trips into the South to assist other slaves through the Underground Railroad to migrate North to "Freedom"; Rosa Parks, a seamstress from Montgomery, Alabama who on December 1, 1955 decided that she was too tired to get up from the seat she occupied on the bus to allow a white person the seat, thus this was the beginning of the Montgomery Bus Boycott; Dr. Martin Luther King Jr., Civil Rights Leader who in December 1964 won a Nobel Peace Prize for his nonviolent approach for Justice; and Dr. Mae C. Jemison, a pioneering African-American astronaut, a mission specialist,

in 1992 she flew on the shuttle "Endeavor"; and

WHEREAS, today we salute some of Pittsburgh's young achievers, present and future. "Young, Gifted, and Black"; and

WHEREAS, Dominique Johnson is an 11-year-old Carmalt student who participates in a weekly mentoring program with first graders entitled "Book Buddies". She is also a participant in the Stash the Trash campaign. Dominique is actively involved with her church and community.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Dominique Johnson for her outstanding community involvement.

Ms. McDonald:

Melvin Brentley. Ms. Fullson the principal, mom, dad and sister are here. Also,

No. 1286 WHEREAS, during the month of February we celebrate Black History Month; and

WHEREAS, during February we have saluted some of histories greatest achievers such as; Phyllis Wheatley, a slave who put her own fears aside and made dozens of trips into the South to assist other slaves through the Underground Railroad to migrate North to "Freedom"; Rosa Parks, a seamstress from Montgomery, Alabama who on December 1, 1955 decided that she was too tired to get up from the seat she occupied on the bus to allow a white person the seat, thus

this was the beginning of the Montgomery Bus Boycott; Dr. Martin Luther King Jr., Civil Rights Leader who in December 1964 won a Nobel Peace Prize for his nonviolent approach for Justice; and Dr. Mae C. Jemison, a pioneering African-American astronaut, a mission specialist, in 1992 she flew on the shuttle "Endeavor"; and

WHEREAS, today we salute some of Pittsburgh's young achievers, present and future. "Young, Gifted, and Black"; and

WHEREAS, Melvin Brentley, is an 8th grade student at Columbus Traditional Academy where he is an honor roll student in the gifted program. Melvin is a member of the National Junior Honor Society and he enjoys football. Melvin assists other students with school work and is apart of the Peer Mediation Group

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Melvin Brentley for his outstanding academic and community involvement.

Ms. McDonald:

Tariq Walker. Tariq is here with her mom, principal, and assistant principal.
Also,

No. 1287 WHEREAS, during the month of February we celebrate Black History Month; and

WHEREAS, during February we have saluted some of histories greatest achievers such as; Phyllis Wheatley, a slave who put her own fears aside and

made dozens of trips into the South to assist other slaves through the Underground Railroad to migrate North to "Freedom"; Rosa Parks, a seamstress from Montgomery, Alabama who on December 1, 1955 decided that she was too tired to get up from the seat she occupied on the bus to allow a white person the seat, thus this was the beginning of the Montgomery Bus Boycott; Dr. Martin Luther King Jr., Civil Rights Leader who in December 1964 won a Nobel Peace Prize for his nonviolent approach for Justice; and Dr. Mae C. Jemison, a pioneering African-American astronaut, a mission specialist, in 1992 she flew on the shuttle "Endeavor"; and

WHEREAS, today we salute some of Pittsburgh's young achievers, present and future. "Young, Gifted, and Black"; and

WHEREAS, Tariq Walker, is an 11 year of student at Carmalt School. Tariq has been actively involved in the Boy Scouts for several years. He has served with other students from school on the Stash for Trash campaign and is committed to Operation Clean-up in his neighborhood.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Tariq Walker for his unselfish commitment to the community is which he lives.

Ms. McDonald:

William Scaine, he is here with his teacher.

Also,

No. 1288 WHEREAS, during the month of February we celebrate Black History Month; and

WHEREAS, during February we have saluted some of histories greatest achievers such as; Phyllis Wheatley, a slave who put her own fears aside and made dozens of trips into the South to assist other slaves through the Underground Railroad to migrate North to "Freedom"; Rosa Parks, a seamstress from Montgomery, Alabama who on December 1, 1955 decided that she was too tired to get up from the seat she occupied on the bus to allow a white person the seat, thus this was the beginning of the Montgomery Bus Boycott; Dr. Martin Luther King Jr., Civil Rights Leader who in December 1964 won a Nobel Peace Prize for his nonviolent approach for Justice; and Dr. Mae C. Jemison, a pioneering African-American astronaut, a mission specialist, in 1992 she flew on the shuttle "Endeavor"; and

WHEREAS, today we salute some of Pittsburgh's young achievers, present and future. "Young, Gifted, and Black"; and

WHEREAS, William Scaine is a 13 year old 8th grade high honor student at Knoxville Middle School. William has a 4.0 grade average. He is actively involved in the Boys to Men Organization and works with other youth in the community.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends William Scaine for his high academic achievements.

Ms. McDonald:

Amber Peterson and she is here with her teacher.

Also,

No. 1289 WHEREAS, during the month of February we celebrate Black History Month; and

WHEREAS, during February we have saluted some of histories greatest achievers such as; Phyllis Wheatley, a slave who put her own fears aside and made dozens of trips into the South to assist other slaves through the Underground Railroad to migrate North to "Freedom"; Rosa Parks, a seamstress from Montgomery, Alabama who on December 1, 1955 decided that she was too tired to get up from the seat she occupied on the bus to allow a white person the seat, thus this was the beginning of the Montgomery Bus Boycott; Dr. Martin Luther King Jr., Civil Rights Leader who in December 1964 won a Nobel Peace Prize for his nonviolent approach for Justice; and Dr. Mae C. Jemison, a pioneering African-American astronaut, a mission specialist, in 1992 she flew on the shuttle "Endeavor"; and

WHEREAS, today we salute some of Pittsburgh's young achievers, present and future. "Young, Gifted, and Black"; and

WHEREAS, Amber Peterson, is a 7th grade, honor roll student at Prospect Middle School. Amber is actively involved in Student Council. As a member of the Student Council she visits a nursing home several times throughout the school year.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Amber Peterson for her academic and unselfish community achievements.

Ms. McDonald:

Anthony Minniefield. His Mom and grandmother are here.

Also,

No. 1290 WHEREAS, during the month of February we celebrate Black History Month; and

WHEREAS, during February we have saluted some of histories greatest achievers such as; Phyllis Wheatley, a slave who put her own fears aside and made dozens of trips into the South to assist other slaves through the Underground Railroad to migrate North to "Freedom"; Rosa Parks, a seamstress from Montgomery, Alabama who on December 1, 1955 decided that she was too tired to get up from the seat she occupied on the bus to allow a white person the seat, thus this was the beginning of the Montgomery Bus Boycott; Dr. Martin Luther King Jr., Civil Rights Leader who in December 1964 won a Nobel Peace Prize for his nonviolent approach for Justice; and Dr. Mae C. Jemison, a pioneering African-American astronaut, a mission specialist, in 1992 she flew on the shuttle "Endeavor"; and

WHEREAS, today we salute some of Pittsburgh's young achievers, present and future. "Young, Gifted, and Black"; and

WHEREAS, Anthony Minniefield, an 8th grade student at Gladstone Middle School has achieved honor roll status twice this school year. He has been actively involved in community service work through YouthPlaces Programs at Burgwin Elementary School. Anthony plays basketball, board games and does arts and crafts with young children in the after school and evening YouthPlace Programs.

WHEREAS, NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends

Ms. McDonald:

Mandella Schumaker-Hodge.
Leroy is no stranger to me.

Also,

No. 1291 WHEREAS, during the month of February we celebrate Black History Month; and

WHEREAS, during February we have saluted some of histories greatest achievers such as; Phyllis Wheatley, a slave who put her own fears aside and made dozens of trips into the South to assist other slaves through the Underground Railroad to migrate North to "Freedom"; Rosa Parks, a seamstress from Montgomery, Alabama who on December 1, 1955 decided that she was too tired to get up from the seat she occupied on the bus to allow a white person the seat, thus this was the beginning of the Montgomery Bus Boycott; Dr. Martin Luther King Jr., Civil Rights Leader who in December 1964 won a Nobel Peace Prize for his nonviolent approach for Justice; and Dr.

Mae C. Jemison, a pioneering African-American astronaut, a mission specialist, in 1992 she flew on the shuttle "Endeavor"; and

WHEREAS, today we salute some of Pittsburgh's young achievers, present and future. "Young, Gifted, and Black"; and

WHEREAS, Mandela Schumacher-Hodge, is a 8th grade high honors student at Sterrett Classical Academy. Mandela is the President of the National Junior Honor Society and is active in basketball, softball and soccer. She volunteers after school by tutoring other students and she assisted her school in raising \$1,000.00 for the KDKA Turkey Fund.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Mandela Schumacher-Hodge for her academic and unselfish community achievements.

Ms. McDonald:

Brian Grigsby. Brian is here with his mom and dad, Reverend Grigsby from Central Baptist church. Also,

No. 1292 WHEREAS, during the month of February we celebrate Black History Month; and

WHEREAS, during February we have saluted some of histories greatest achievers such as; Phyllis Wheatley, a slave who put her own fears aside and made dozens of trips into the South to assist other slaves through the

Underground Railroad to migrate North to "Freedom"; Rosa Parks, a seamstress from Montgomery, Alabama who on December 1, 1955 decided that she was too tired to get up from the seat she occupied on the bus to allow a white person the seat, thus this was the beginning of the Montgomery Bus Boycott; Dr. Martin Luther King Jr., Civil Rights Leader who in December 1964 won a Nobel Peace Prize for his nonviolent approach for Justice; and Dr. Mae C. Jemison, a pioneering African-American astronaut, a mission specialist, in 1992 she flew on the shuttle "Endeavor"; and

WHEREAS, today we salute some of Pittsburgh's young achievers, present and future. "Young, Gifted, and Black"; and

WHEREAS, Brian Grigsby is an 8 year old, 3rd grade student at Madison Elementary School. Brian has a 3.69 grade point average. Brian is a member of his church youth choir and he enjoys Bible Studies, Black History and youth Ministry activities.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Brian Grigsby for his academic and community achievements.

Ms. McDonald:

Marlana Meyers. Marlana has her grandma, teacher, Ms. Telefarro. I was just told by grandma, she worked on my campaign. I am being reprimanded.

Also,

No. 1293 WHEREAS, during the month of February we celebrate Black History Month; and

WHEREAS, during February we have saluted some of histories greatest achievers such as; Phyllis Wheatley, a slave who put her own fears aside and made dozens of trips into the South to assist other slaves through the Underground Railroad to migrate North to "Freedom"; Rosa Parks, a seamstress from Montgomery, Alabama who on December 1, 1955 decided that she was too tired to get up from the seat she occupied on the bus to allow a white person the seat, thus this was the beginning of the Montgomery Bus Boycott; Dr. Martin Luther King Jr., Civil Rights Leader who in December 1964 won a Nobel Peace Prize for his nonviolent approach for Justice; and Dr. Mae C. Jemison, a pioneering African-American astronaut, a mission specialist, in 1992 she flew on the shuttle "Endeavor"; and

WHEREAS, today we salute some of Pittsburgh's young achievers, present and future. "Young, Gifted, and Black"; and

WHEREAS, Marlana Meyers, an 8th grade, 13 year old student at Rogers Middle School for the Creative and Performing Arts. Marlana is a member of the National Junior Honor Society holding a 4.0 grade average throughout the year. Marlana has performed countless hours of community service at the Oakland Center for Women. Marlana has been involved in the Stash the Trash program, canned food drive and Red Ribbon Week.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City

of Pittsburgh recognizes and commends Marlana Meyers for her outstanding academic and community achievements

Ms. McDonald:

Fatimah Madyun. She's here with her mom and counselor, Ms. Ann Haley.

Also,

No. 1294 WHEREAS, during the month of February we celebrate Black History Month; and

WHEREAS, during February we have saluted some of histories greatest achievers such as; Phyllis Wheatley, a slave who put her own fears aside and made dozens of trips into the South to assist other slaves through the Underground Railroad to migrate North to "Freedom"; Rosa Parks, a seamstress from Montgomery, Alabama who on December 1, 1955 decided that she was too tired to get up from the seat she occupied on the bus to allow a white person the seat, thus this was the beginning of the Montgomery Bus Boycott; Dr. Martin Luther King Jr., Civil Rights Leader who in December 1964 won a Nobel Peace Prize for his nonviolent approach for Justice; and Dr. Mae C. Jemison, a pioneering African-American astronaut, a mission specialist, in 1992 she flew on the shuttle "Endeavor"; and

WHEREAS, today we salute some of Pittsburgh's young achievers, present and future. "Young, Gifted, and Black"; and

WHEREAS, Fatimah Madyun, is a 10th grade honor roll student at Schenley High School. Fatimah has been an honor

roll student since the 9th grade She was the second place winner in the Pennsylvania Junior Academy of Science (PJAS) in Zoology. Fatimah is currently active with SMART (Strong Minded Active Responsible Teens), she also is a member of Carnegie Mellon's High School Student Society of Women Engineers, and she is a volunteer tutor at Margaret Milliones Middle School.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Fatimah Madyun for her outstanding academic and community involvement.

Ms. McDonald:

Brittany Hartwell.

Also,

No. 1295 WHEREAS, during the month of February we celebrate Black History Month; and

WHEREAS, during February we have saluted some of histories greatest achievers such as; Phyllis Wheatley, a slave who put her own fears aside and made dozens of trips into the South to assist other slaves through the Underground Railroad to migrate North to "Freedom"; Rosa Parks, a seamstress from Montgomery, Alabama who on December 1, 1955 decided that she was too tired to get up from the seat she occupied on the bus to allow a white person the seat, thus this was the beginning of the Montgomery Bus Boycott; Dr. Martin Luther King Jr., Civil Rights Leader who in December 1964 won a Nobel Peace Prize for his nonviolent approach for Justice; and Dr. Mae C. Jemison, a pioneering African-

American astronaut, a mission specialist, in 1992 she flew on the shuttle "Endeavor"; and

WHEREAS, today we salute some of Pittsburgh's young achievers, present and future. "Young, Gifted, and Black"; and

WHEREAS, Brittany Hartwell is a 5th grade honor roll student at Chartier Elementary School. Brittany is also a Citizenship honor student. She is actively involved in the Youth Crime Watch Program and a School Safety Patrol member.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Brittany Hartwell for her academic and unselfish community achievements.

Ms. McDonald:

Rebekah Herbert. Mom and brother are with her.

Also,

No. 1296 WHEREAS, during the month of February we celebrate Black History Month; and

WHEREAS, during February we have saluted some of histories greatest achievers such as; Phyllis Wheatley, a slave who put her own fears aside and made dozens of trips into the South to assist other slaves through the Underground Railroad to migrate North to "Freedom"; Rosa Parks, a seamstress from Montgomery, Alabama who on December 1, 1955 decided that she was too tired to get up from the seat she occupied on the

bus to allow a white person the seat, thus this was the beginning of the Montgomery Bus Boycott; Dr. Martin Luther King Jr., Civil Rights Leader who in December 1964 won a Nobel Peace Prize for his nonviolent approach for Justice; and Dr. Mae C. Jemison, a pioneering African-American astronaut, a mission specialist, in 1992 she flew on the shuttle "Endeavor"; and

WHEREAS, today we salute some of Pittsburgh's young achievers, present and future. "Young, Gifted, and Black"; and

WHEREAS, Rebekah Herbert, a student at Reizenstein Middle School is an active member of the National Junior Honor Society. Rebekah has been student of the month and maintains a 3.0 average. She is a member of the All-City Chorus and manages the girls basketball team. Rebekah helps the elderly in her neighborhood by doing chores and shopping for them. She is a volunteer at the food pantry at the East Liberty Presbyterian Church

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Rebekah Herbert for the positive image she portrays to others and for her outstanding community involvement.

Ms. McDonald:

Jerome White, Jr., is with his mom.

Also,

No. 1297 WHEREAS, during the month of February we celebrate Black History Month; and

WHEREAS, during February we have saluted some of histories greatest achievers such as; Phyllis Wheatley, a slave who put her own fears aside and made dozens of trips into the South to assist other slaves through the Underground Railroad to migrate North to "Freedom"; Rosa Parks, a seamstress from Montgomery, Alabama who on December 1, 1955 decided that she was too tired to get up from the seat she occupied on the bus to allow a white person the seat, thus this was the beginning of the Montgomery Bus Boycott; Dr. Martin Luther King Jr., Civil Rights Leader who in December 1964 won a Nobel Peace Prize for his nonviolent approach for Justice; and Dr. Mae C. Jemison, a pioneering African-American astronaut, a mission specialist, in 1992 she flew on the shuttle "Endeavor"; and

WHEREAS, today we salute some of Pittsburgh's young achievers, present and future. "Young, Gifted, and Black"; and

WHEREAS, Jerome White, Jr. is a member of the National Honor Society and the Senior Class President at Perry Traditional Academy. Jerome is also a member of P.S.C.C., Parent Student Community Council. He has received numerous awards, most recently he was the National winner of the 1997 Japanese Speech Award, in New York. Jerome has had the honor of being the recipient of 2 Distinguished Achievements Awards from the Pittsburgh Board of Education.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends

Jerome White, Jr. for his academic achievements.

Ms. McDonald:

Aaron Johns is with her mother.

Also,

No. 1298A WHEREAS, during the month of February we celebrate Black History Month; and

WHEREAS, during February we have saluted some of histories greatest achievers such as; Phyllis Wheatley, a slave who put her own fears aside and made dozens of trips into the South to assist other slaves through the Underground Railroad to migrate North to "Freedom"; Rosa Parks, a seamstress from Montgomery, Alabama who on December 1, 1955 decided that she was too tired to get up from the seat she occupied on the bus to allow a white person the seat, thus this was the beginning of the Montgomery Bus Boycott; Dr. Martin Luther King Jr., Civil Rights Leader who in December 1964 won a Nobel Peace Prize for his nonviolent approach for Justice; and Dr. Mae C. Jemison, a pioneering African-American astronaut, a mission specialist, in 1992 she flew on the shuttle "Endeavor"; and

WHEREAS, today we salute some of Pittsburgh's young achievers, present and future. "Young, Gifted, and Black"; and

WHEREAS, Aaron Johns a 12th grade student at Schenley High School who attends Robert Morris College as part of the City of Pittsburgh Public Schools High School and College Initiative. Aaron

is a three-year volunteer for the United Way's Youth Day of Caring. He is also involved in Junior Achievement, where he received the first ever Junior Achievement Outstanding Student Award.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Aaron Johns for his outstanding community involvement.

Ms. McDonald:

Angela Bonner. Angela is with her Mom, aunt and principal and the parent activity coordinator.

Also,

No. 1298B WHEREAS, during the month of February we celebrate Black History Month; and

WHEREAS, during February we have saluted some of histories greatest achievers such as; Phyllis Wheatley, a slave who put her own fears aside and made dozens of trips into the South to assist other slaves through the Underground Railroad to migrate North to "Freedom"; Rosa Parks, a seamstress from Montgomery, Alabama who on December 1, 1955 decided that she was too tired to get up from the seat she occupied on the bus to allow a white person the seat, thus this was the beginning of the Montgomery Bus Boycott; Dr. Martin Luther King Jr., Civil Rights Leader who in December 1964 won a Nobel Peace Prize for his nonviolent approach for Justice; and Dr. Mae C. Jemison, a pioneering African-American astronaut, a mission specialist, in 1992 she flew on the shuttle "Endeavor"; and

WHEREAS, today we salute some of Pittsburgh's young achievers, present and future. "Young, Gifted, and Black"; and

WHEREAS, Angela Bonner is a 10 year old 5th grade student at Lemington Elementary School. She has a 3.7 grade average. Angela is actively involved in the Library Club, Computer Club and the Careers Club. Angela loves to read and is actively involved in her church Angela volunteers her time at the local Carnegie Library where she enjoys reading to smaller children.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Angela Bonner for her outstanding academic and community achievements

Ms. McDonald:

Ashley Bird.

Also,

No. 1298C WHEREAS, during the month of February we celebrate Black History Month; and

WHEREAS, during February we have saluted some of histories greatest achievers such as; Phyllis Wheatley, a slave who put her own fears aside and made dozens of trips into the South to assist other slaves through the Underground Railroad to migrate North to "Freedom"; Rosa Parks, a seamstress from Montgomery, Alabama who on December 1, 1955 decided that she was too tired to get up from the seat she occupied on the bus to allow a white person the seat, thus this was the beginning of the Montgomery

Bus Boycott; Dr. Martin Luther King Jr., Civil Rights Leader who in December 1964 won a Nobel Peace Prize for his nonviolent approach for Justice; and Dr. Mae C. Jemison, a pioneering African-American astronaut, a mission specialist, in 1992 she flew on the shuttle "Endeavor"; and

WHEREAS, today we salute some of Pittsburgh's young achievers, present and future. "Young, Gifted, and Black"; and

WHEREAS, Ashley Birt, an 8th grade student, honor roll student at Frick International Academy. She is an honor student and actively involved in the community.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Ashley Birt for her outstanding academic and community achievements.

MR. ONORATO moved to adopt the resolutions.

MR. HERTZBERG moved to second the motion.

Which motion prevailed.

Ms. McDonald:

Again, these students were recommended. They were actually nominated. Thank you all. Thank you very much for your patience. Again, this was sponsored by all of us and congratulations to all of our students.

The Chair:

I want to thank all of you for coming down. You really set a great example for all of us. I thank the families coming down and especially the school teachers and principals and counselors. You really show a tremendous attitude for your kids and we certainly congratulate all of you and thank you very much for coming down.

MR. O'CONNOR AND ALL MEMBERS PRESENT:

No. 1298 WHEREAS, in 1970, the Honorable K. Leroy Irvis, Minority Leader of Representatives, Commonwealth of Pennsylvania convened a conference of Black college presidents, vice presidents, deans, department chairs, directors, teachers, and other political leaders and professionals; and,

WHEREAS, this conference was designed to provide needed input in the formation of a master plan for Higher Education in Pennsylvania; and

WHEREAS, the mission of the Black Conference on Higher Education is to provide programs and services which help ensure that the post-secondary educational needs and aspirations of Black African Americans in particular are met, and to work in concert with members of other under-represented groups in the Commonwealth of Pennsylvania; and,

WHEREAS, the Pennsylvania Black Conference on Higher Education's mission is accomplished by fully utilizing their individual and collective talents and resources; and,

WHEREAS, the Pennsylvania Black Conference on Higher Education

further achieves its mission through education, research, training and publication.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Pennsylvania Black Conference on Higher Education, Inc., on its continued dedication towards equality in education; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare the week of March 1, 1999, as "Pennsylvania Black Conference On Higher Education Week" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. DIVEN seconded the motion.

Which motion prevailed.

The Chair:

Now move to presentation of papers.

MR. DIVEN PRESENTED:

No. 1299 Resolution providing for a Contract or Agreement or the use of existing Contracts or Agreements to purchase LifePak 12 Heart Monitor/Defibrillator/Pacers for the Bureau of Emergency Medical Services at a cost not to exceed \$156,000.00.

Which was read and referred to the Committee on Public Safety Services.

MR. FERLO PRESENTED:

No. 1300 Resolution authorizing and directing the Chief of Police and the City Solicitor to prepare and submit to City Council a written assessment and evaluation report regarding the City of Pittsburgh's purchase and installation of video cameras on or in police vehicles operating in the City of Pittsburgh. — **(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on Public Safety Services.

No. 1301 Resolution further amending Resolution No. 1018, effective January 1, 1997, entitled "Adopting and approving the 1997 Capital Budget and the 1997 Community Development Block Grant Program; and approving the 1997 through 2002 Capital Improvement Program, " by increasing a line item (Lower Allegheny Riverfront) by \$28,000.00 from \$550,000.00 to \$578,000.00.

No. 1302 Resolution further amending Resolution No. 781, effective January 1, 1999, entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvement Program," by amending the funding source of the Route 51/Liberty Bridge line item.

No. 1303 Resolution further amending Resolution No. 781, effective January 1, 1999, entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvements Program," by reducing the Transportation Improvements Program by \$250,000.00 and creating a new line item titled "West End Improvements."

No. 1304 Resolution Amending Resolution No. 136, effective March 31, 1997, entitled "Providing for an Agreement of Cooperation with the Pittsburgh Cultural Trust in connection with the Construction of the Lower Allegheny Riverfront Park, bounded by the Allegheny River on the North and the Tenth Street By-Pass on the South; and providing for the payment of the costs thereof," by increasing the total project allocation by \$28,000.00 from \$550,000.00 to \$578,000.00.

No. 1305 Resolution providing for a three (3) party Cooperation Agreement between the County of Allegheny, the Port Authority of Allegheny County and the City of Pittsburgh, in connection with the initial engineering services associated with the West End Improvements; at a cost not to exceed \$250,000.00.

No. 1306 Resolution providing for a Cooperation Agreement with the Commonwealth of Pennsylvania, Department of Transportation for reimbursement to the state for the City's share of improvements to the Liberty Tunnel South Portal Interchange; at a cost not to exceed \$235,000.00.

No. 1307 Resolution providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts for the Reconstruction of Various Park Facilities; providing for the purchase of equipment, materials and supplies in connection with such projects; at a cost not to exceed 642,000.00.

No. 1308 Resolution providing for a Contract or Contracts, or use of existing

Contracts for the installation and maintenance of traffic signal equipment throughout the City; at a cost not to exceed \$80,000.00.

Which were read and referred to the Committee on Engineering and Construction.

MR. HERTZBERG PRESENTED:

No. 1309 Resolution providing for an Agreement or Agreements, or the use of existing Agreements for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh effective January 1, 1999 and providing for the payment of the cost thereof which is not to exceed Two Hundred Thousand (\$200,000.00) Dollars, chargeable to and payable from Account 527900, Fund 1000, Org. 430000, Sub-Class 150, Project N/A, Budget Year 1999, Vacant Lot Cleanup, Department of Public Works.

Which was read and referred to the Committee on Public Works, Water & Environmental Services

MR. ONORATO PRESENTED:

No. 1310 Resolution transferring the amount of \$15,000.00 from fund no. 1000, org. code 999200, sub class 150, budget year 1999, Non-Departmental Citywide tot he Public Safety Police Miscellaneous Services account fund 1000, org. code 230000, sub class 150, budget year 1999 in order to provide services to the Police and Communities Together annual program. ---
(SPONSORED BY MR. ONORATO, MR. DIVEN, MR. O'CONNOR, MR. COHEN, MR. FERLO, MR.

HERTZBERG, MS. MCDONALD, MR. RICCIARDI, AND MR. UDIN).

Which was read and referred to the Committee on Finance and Budget.

MR. ONORATO PRESENTED:

No. 1311 An Ordinance Amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 6 by changing from "RP" Residential Planned Unit Development District to "CP" Commercial Planned Unit Development District: ---
(COUNCIL DISTRICT 1)

No. 1312 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure located at 141 Mayflower Street, and all of the property designated as Block and Lot Number 124-N-095, in the Twelfth Ward, City of Pittsburgh. ---**(COUNCIL DISTRICT NO. 9)**

No. 1313 Resolution authorizing the submission of an application to the Commonwealth of Pennsylvania Department of Community and Economic Development for the Emergency Shelter Grant Program for fiscal year 1999.

Which were read and referred to the Committee on Planning, Zoning & Land Use.

No. 1314 Resolution providing for a contract or contracts or use of existing contracts for the annual program of the Police and Communities Together Program, at a cost not to exceed \$15,000.00 from the Public Safety Police Miscellaneous Services account fund 1000, org. code 230000, sub class 150,

budget year 1999. —(SPONSORED BY MR. ONORATO, MR. DIVEN, MR. O'CONNOR, MR. COHEN, MR. FERLO, MR. HERTZBERG, MS. MCDONALD, MR. RICCIARDI, AND MR. UDIN.)

Which was read and referred to the Committee on Public Safety Services.

MR. RICCIARDI PRESENTED:

No. 1315 Resolution Directing the Public Safety Director/Deputy Mayor of Operations, Pittsburgh Police Chief, Pittsburgh Housing Authority Police Chief, Housing Authority Director, Executive Secretary, Youth Policy Coordinator to forward to Pittsburgh City Council, within 10 working days, a report of actions taken to date addressing the recent shootings and violence between youth in the Hilltop Communities of Council District 3. The report shall include any future community preventative measures such as Community Outreach and Awareness Programming. — (SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Public Safety Services.

MR. RICCIARDI moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MS. MCDONALD seconded the motion.

Which motion prevailed.

MR. UDIN PRESENTED:

No. 1316 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, known as Lien Excluded Properties acquired at tax sales, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

No. 1317 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, known as Lien Excluded Properties acquired at tax sales, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were read and referred to the Committee on Finance and Budget.

The Chair:

Any unfinished business to come in front of Council?

UNFINISHED BUSINESS

I have two appointments one for the Planning Commission and one for the Personnel Appeals Board.

MR. O'CONNOR PRESENTED:

Bill No. 1243 A resolution authorizing the appointment of Claudette Lewis as a member of the City Planning Commission, term to expire January 31, 2005.

And,

Bill No. 1244 A resolution authorizing the appointment of Nancy Schaefer as a member of the Personnel Appeals Board, term to expire January 31,

2001.

MR. FERLO moved to approve both appointments.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

Anything else under unfinished business?

Move to reports of committee.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1318:

Report of the Committee on Finance and Budget for February 17, 1999, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 993:

Resolution authorizing and directing the Mayor and the Director of Finance and the Budget to sell and transfer all that real property and landslide building known as the City of Pittsburgh River Rescue Center to the Stadium Authority for a sale price of \$2,500,000 representing the approximate cost to the city taxpayers for the construction and related expenses of this recently built municipal facility.
(SPONSORED BY MR. FERLO)

Which was read.

Also,

Bill No. 1237:

Resolution Providing for the issuance of a warrant in favor of Newcomer's Electric Contractor in the amount of \$2,800 in payment of installation of holiday lighting in Hazelwood, and providing for the payment of the cost thereof chargeable to Account 542900, Fund 2460, Organization 102000, Sub-Class 600, Budget Year 1999.

Which was read.

Also,

Bill No. 1238:

Resolution Providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(a) Remington Drive, 13th Ward, Block 232d, Lot 94 (part), vacant lot containing an area of 16,048 sq. ft., being sold to Derrick Hemby & Carla Hemby, his wife for \$1,500.00. Intended Use: Build a personal residence. (Council District 9).

(b) 577 Brushton Avenue, 13th Ward, Block 175C, Lot 53, two story brick house and store situated on a lot containing 2,953 sq. ft., being sold to Geter Sloan for \$2,000.00. Intended Use: Rental (Council District 9)

(c) 29 and 31 Festina Street, 15th Ward, Block 55S, Lot 259 and 261, two vacant lots containing a combined area of 3,691 sq. ft., being sold to Carl Petho, Jr. and Barbara C. Petho, his wife, for \$1,000.00. Intended Use: Street access and additional yard space. (Council District 5)

(d) 640 and 644 Arlington Avenue, 18th Ward, Block 3-K, Lots 52 and 54, two vacant lots containing a combined area of 12,697 sq. ft., being sold to Mario R. Moce for \$4,000.00. Intended Use: Build townhouses. (Council District 3)

(e) 22 Buffington Avenue, 18th Ward, Block 34C, Lot 173, vacant lot containing an area of 3,024 sq. ft., being sold to Pittsburgh SMSA, LP, C/O Joseph Cortese for \$1,000.00. Intended use: Access to adjacent property. (Council District 3)

(f) 82 Industry Street, 18th Ward, Block 15G, Lot 164, 2.5 sty. Fra. Hse. situated on a lot containing an area of 4,709 sq. ft., being sold to Mary Angelo for \$3,000.00. Intended Use: Personal residence. (Council District 3)

(g) 1438 Columbus Avenue, 21st Ward, Block 22J, Lot 305, 2.5 sty. brk. hse. situated on a lot containing 1,388 sq. ft., being sold to Geter Sloan for \$1,000.00. Intended Use: Rental unit. (Council District 6)

(h) 1440 Columbus Avenue, 21st Ward, Block 22J, Lot 304, 2 sty. fra. inselbrk. hse. situated on a lot containing 1,563 sq. ft. being sold to Geter Sloan for \$2,500.00. Intended Use: Rental unit. (Council District 6)

(i) 1221 W. North Avenue, 21st Ward, Block 7C, Lot 18A, two sty. brk. hse. situated on a lot containing an area of 2,425 sq. ft. being sold to Everett R. Allen and Lisa N. Allen, his wife, for \$1,500.00. Intended Use: Personal residence. (Council District 6)

(j) 3901-3912 Mairdale Avenue, 26th Ward, Block 115C, Lot 341(part), vacant lot containing an area of 7,890 sq. ft. being sold to Mark Stueber and Cynthia Stueber, his wife, for \$750.00. Intended Use: Driveway access to rear of adjoining property. (Council District 1)

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Hertzberg:

Thank you. On Bill Number 993 and that is the bill that was offered by Councilman Ferlo to sell the River Rescue Center and the adjoining land for two half million dollars. We had discussions and the issue that I set forth was that we are getting more than a return of \$2.5 million from the Auditorium Authority in the form of the public improvements that they're going to be making not only around PNC Park but also on Fort Duquesne Boulevard. But the problem as I saw it was it wasn't set forth in writing anywhere in the public record.

The amendment that should have been circulated I believe takes care of that problem. It actually incorporates the draft agreement between the city and the Public Auditorium Authority and particularly

paragraph number ten actually sets forth a description of the work to be done by the Auditorium Authority, which streetscape improvements on the Westerly side of Federal Street, reconstruction of the portion of existing stadium circle, reconstruction of relocated West General Robinson Street, redevelopment of the river parcel and contribution towards the reconstruction of Fort Duquesne Boulevard and the relocation of existing green space between Stanwix Street and the Fort Wayne Bridge.

So I make an amendment to Bill 993 also taking out of course the \$2.5 million and putting in there \$1.

MR. FERLO seconded for discussion.

Mr. Ferlo:

I obviously support the amendment. I think it fulfills the original intent and purpose when this resolution was submitted late last year. It was prior to what the final financial figures would be in relation to the funding of Plan B. The administration has come forward or made it clear that while they are not specifically reimbursing us for fair market value of the River Rescue Center and its demolition removal, in fact they are contributing capital dollars from Plan B financing to capital infrastructure projects. And improvements not only in and around PNC Park but also extending across the river to badly needed improvements along Fort Duquesne Boulevard. Those are dollars that other wise would have been provided by this Council and the administration during capital project.

I want to thank Councilman Hertzberg for rather than seeing this bill

tabled, re-stipulating by way of his amendment what really should be stipulated and law. So, I support the resolution.

Mr. Cohen:

Thank you, Mr. President. I want to thank Councilman Hertzberg for doing the due diligence, which is necessary to incorporate this agreement into this legislation. There is no question in my mind that the City of Pittsburgh will be receiving much more than two half million dollars in terms of public improvements, in terms increased taxes, increased property taxes, parking taxes, even indirectly through the sales tax to the regional asset district for all the economic activity that is going to be happening because of the two new ball parks.

So I whole-heartedly support Councilman Hertzberg's amendment and look forward to continuation of the construction over there on the North Shore.

The Chair:

All those in favor of the amendment?

Which amendment prevailed. (Mr. Ricciardi voted no.)

The Chair:

Any more discussion on the bills? Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Udin	Mr. O'Connor

(Pres't)

(Mr. Ricciardi voted no on bill 993)

Bills have received the legally required number of votes and have passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 1319:

Report of the Committee on Public Works, Water and Environmental Services for February 17, 1999, transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1232:

Resolution Vacating an irregular portion of Weitz Way, between Brighton Woods Road and its Dead End in the 27th Ward, 1st Council District of the City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the

bills? Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor

(Pres't)

AYES Nine NOES None

Bills have received the legally required number of votes and have passed finally.

MR. ONORATO PRESENTED:

Bill No. 1320:

Report of the Committee on Planning, Zoning and Land Use for February 17, 1999, transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1235:

Resolution Amending Resolution No. 445, approved May 14, 1991 entitled "Providing for implementation of a Residential Parking Permit Program (RPPP) in the Mt. Washington community

pursuant to Pittsburgh Code Chapter 549 so as to expand the streets included in the existing Mt. Washington RPPP Area "N" so as to change the parking management plan which provides for the hours of enforcement to be from 7 A.M. - 7 P.M. Monday through Saturday for the north side of Grandview Avenue to be from 6 P.M. to 2 A.M. Monday through Sunday.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Hertzberg:

Thank you. I would like to have my comments brought forward from the Standing Committee last week on this bill that will positively impact on Grandview Avenue. And I hope everyone has had an opportunity to review the map that was distributed. It does show you that the area in question does not include the block in front of St. Mary's of the Mount Church. You can see there is a little cross-placed on the building here. That area is not included in the area where we are changing the residential program restrictions.

(See Addendum for comments on Bill 1235)

The Chair:

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

(Mr. Ferlo abstaining on bill 1235)

Bills have received the legally required number of votes and have passed finally.

MS. MCDONALD PRESENTED:

Bill No. 1321:

Report of the Committee on Housing, Economic Development and Promotion for February 17, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1205:

Resolution Approving Execution of a Contract For Disposition of Land By and Between the Urban Redevelopment Authority of Pittsburgh and Rycon Construction, Inc. for the sale of Part of Block 25N Lot 305 in the Second Ward of the City of Pittsburgh in Redevelopment Area No. 47, Liberty Avenue between Twenty Fifth and Twenty Sixth Streets, Council District No. 6 (renovation of building for office and warehouse use).

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion bills? Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES **Nine** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

Mr. Ferlo:

Can we get a copy of Council's rules out here, Mr. President?

MR. RICCIARDI PRESENTED:

Bill No. 1322:

Report of the Committee on Parks, Recreation and Youth Policy for February 17, 1999, transmitting one resolution to Council.

Which was read, received, and filed.

Also, with a negative recommendation.

Bill No. 1236:

Resolution establishing a schedule of fees for the Department of Parks and Recreation Swimming Pool Program, effective January 1, 1999 for the calendar year 1999.

Which was read.

The Chair:

You have heard the reading and title of the bills. Is there any discussion on the bills?

Mr. Ricciardi:

Thank you, Mr. President, discussion on 1236. After reviewing the transcript of last week's Committee Session, I find that all Council members had very legitimate and valid arguments. In the light of those arguments, I would like to propose an amendment that you have before you. I think it would be a good pilot study of free admission to the pools and the pilot study would deal with youth 15 years old and younger.

The amendment before us, Mr. President, would have one change to the legislation that has been proposed and submitted by the administration. That change would be youth 15 years old and younger would have free admission to the swimming pools.

I think this will do a number of things. Number one, it would still guarantee the City of Pittsburgh revenues, revenues that are badly needed. Number

two, it would still allow the administration to have control over the swimming pools but at the same time it would still offer free admission to our young people.

The argument was that the admission would prevent the young people from entering the pools, this would take care of that. And there was an argument put forward that maybe parents, some parents unfortunately either because of irresponsibility or derelict in their responsibilities as parenting, do not properly fill out the paperwork. I think an adult 16 years old and older really do not need parents to fill out their paperwork. I am sure they could find where to get their learning permit for their cars they could also find where to gather the necessary paperwork for admission. Also at 16 years and older even if their parents do not feel that they want to spend the money, if you are age 16 years and older you can go out and work for a few dollars and bring it in.

So once again we have an amendment before us that will have one change and 15 years old and younger would be free admission. Motion for the amendment before us.

MR. ONORATO seconded the motion.

The Chair:

Any discussion?

Mr. Ferlo:

This drive by amendment doesn't make any sense at all, and that's what it is. Council members should decide if they want the pool fees either because of income or because of the policy and they should stick to their guns or they should be

in the category of not supporting it for the reasons that we debated at length.

This differential that we are going to create to me doesn't make any sense financially. It doesn't even make any sense in terms of achieving the purposes that the majority expressed in terms of wanting to have the pools be opportunities for young people and others to be attracted to our community recreation and pool centers so that other kinds of activities could go on. It totally negates all the intended purpose of why the majority did not want the pool fees. We wanted to sit down systematically with not only the staff of the department but community groups, users of the pools and the rec centers and begin a collaboration to talk about ways in which we can make the pools and our neighborhood base rec centers more meaningful. Not only financially, because in the end many of us argued that if we dealt with vendors and concessionaire and other income generating ideas with a large number of individuals at the pools we would actually generate more money.

It's costing the administration anywhere from a low of 60,000 to a high of 105 thousand depending on how you calculate to collect in the end \$260,000. So at best you might end up with 180 to \$200,000 of actual revenue.

This amendment to me is totally disruptive to either camp. It disrupts either philosophy as to why people said they were either for or against the pool fees. If the majority wants to go with this I would rather just have uniform consistent pool fees across the board than this crazy policy that we have here.

So I would strenuously argue that

this amendment doesn't make any sense. It's counter productive, it is going to be more confusing for the park staff. You're still going to have to pay for the overhead of the collection of revenue but you're only going to be collecting roughly 20% of the pot of money. It's a completely ridiculous amendment and I would ask that it be defeated, that we stick to our guns and not have the collection of fees this year. We look at the Players tax; we look at using CDBG allotment this year. We have got extra federal funds that we have not expected when we allocated 1999 budget. I would ask that we look at that.

I would ask that Council through the President and through Mr. Ricciardi, Chair of Parks, that we sit in on this request for proposal that is going out by Acting Director Duane Ashley, looking at the whole aquatics that went from pool to now being aquatics. I think that is great, hopefully it is actually going to mean something exciting.

The other thing I would suggest and this is something I asked the Mayor when he first got elected because the first thing out of the gate from some of the budget officers was the following comment, that we have to start closing and make some hard decisions about neighborhood pools. I am willing to do that but I am not willing to do it in a vacuum.

If we engage the community in a discussion and if the community thought they would get a better pool, better managed, better run, open longer with more activities, they might be willing to engage in discussion with Council and the administration about some of the pools that are smaller and lesser utilized. But we

should not be fearful of the community concern out there. Let's engage the community in this hard decision that we have to make at some point about what the pools are going to look like in the next millenium in the City of Pittsburgh? Is there an issue now that we should be confronted with about possibly closing lesser participating pools and beef up more regional based pools?

I mean why should we be afraid of our residents, let's engage them in a collaboration and discussion. But I am opposed to closing any neighborhood pools if the means test has been to use the existing figures because they are distorted figures. The figures are just those that were willing or able or got it together to come down here and buy their pool tag. That's not an accurate reflection of what the actual participation would be at the neighborhood level.

So, can't we just lighten up for once? It is 200,000; it is going to be less if we allocate some of the extra Federal Block Grant money. Let's go with this program, let's work with the administration, the community on a collaboration regarding the future of our pools and our community based rec centers but please defeat this asinine amendment.

Mr. Cohen:

We do not have in our budget the luxury to waive pool fees or any other fee for that matter. Our deficit is getting worse not better. And for those who say that we have extra money out there, they haven't looked at our full budget, because we don't have extra money out there. We have a \$20 million structural deficit. We

just lost \$4 million that had normally been funded by the state for our Magistrate's Court. At the same time city services continue to erode, streets that were paved in my district just three months ago are now breaking up. Take a look at some of the streets in the East End right now.

The city is dirty, there is graffiti every where more so than I have seen in many years. We do not have extra money and we aren't able to meet the service needs that currently exist right now. None of the sponsors who have -- the sponsors of waving pool fees have not come up with an actual replacement for the revenue that we're losing. A collaboration that Councilman Ferlo talks about sounds great, but frankly the collaboration should have occurred and a real concrete proposal should have come up prior to any resolution to waive pool fees. You can't take away revenue on the one hand without replacing it with something else.

So in that sense I think it is irresponsible. That having been said, I learned a long time ago in this body that half a loaf is better than no loaf at all. If Councilman Ricciardi is submitting something that will give us some pool fees to be able to keep our pools open and at the same time have enough -- some revenue at least rather than no revenue, then that's something that I will go with. Maybe I should say half a gallon is better than no gallon at all. If we are going to get about 50% revenue from Councilman Ricciardi's proposal, as opposed to zero revenue that happened last Wednesday, then I will go with that proposal.

Mr. Diven:

When we talked about the debate

over pool prices and the deficit that the city faces, I think it is more of an issue of policy as opposed to not having the money. I think the city has over \$3 million that it spends annually on its operating budget. We can afford to provide pools for the communities that we represent. When you balance priorities of where we're going as a city between \$3.7 million take increment financing deals for hotels and \$15 million for PNC, 15 million for Mellon Bank, 750,000 annually over Player's tax for stadiums we're giving a lot away. I think to give back \$260,000 to residents who pay the bulk of taxes in the City of Pittsburgh is not a lot to ask for.

I think that if we set the priority as being one where the residents of the City of Pittsburgh, the people that have lived here their lives, fourth or fifth generation who grew up here, who chose to stay here, if we look at them as valued customers and in a customer friendly business we have to cater to them. We can't continue to go back and charge them garbage fees. We can't charge them increasing in occupational taxes. We can't charge them increase in income tax. We can't raise their property taxes. We can't charge them a fee for services for swimming pools.

These people are being nickel and dimed to death while at the same time we are giving hundreds of millions of dollars away to corporations in hopes that they will stay here. And when they do move here, they won't start paying into our coffers anywhere from 12 to 18 years. So if we're making a policy decision, I think we need to give something back to the people that we represent, and the people that pay the lion's share of the taxes that keep this city running. And by making this statement with the pool fees, it shows

that we're willing to put our constituents first and the people that do most of the work in the city first and that's why I am against even this amendment.

I think with this amendment I think the effort is good but what is happening with it is it's going to be a wash. It costs us between 60 and hundred thousand dollars to collect the tax and at the same time we are going to lose 60% of the revenue that was projected out of the -- I believe from the conversation that we had with the parks people that 60% of the revenues comes from people 15 and under and families that have kids that are 15 and under. So there won't be a net gain. It costs us just as much to collect the tax.

So why not eliminate the whole pool fee and save the sixty-two hundred thousand dollars that we spend each year collecting it? So I am going to vote against the amendment. I am going to stay strong for supporting free pools for the people of the City of Pittsburgh because I think it is an issue where we have to be able to draw the line and provide things for people in the neighborhoods who do the bulk of living in the City of Pittsburgh.

Mr. Hertzberg:

I am opposed to this also strangely enough but for very different reasons. I am going to vote no to this amendment. I would concur with Councilman Cohen on our budgetary problems. It is the wrong thing to do whether we are waiving all fees or waving them for 60% of the fees. I think it is the wrong thing to do based on our budget. I also think it's the wrong thing to do based on how you teach people respect for a facility, swimming pools, and also you know when we talk about a

garbage fee and we compare it to a pool fee you have apples and oranges. You cannot compare these fees.

Everyone has garbage, everyone does not swim in the pools. In fact right now our pool fees are unfair because right now our pools do not run solely based on our fees. We don't even have enough money to make the users pay for these pools. As a result, all the taxpayers are paying for them. And in fact when we eliminate these pools whether you use a pool or not I got news for you, you're going to pay for them in the form of your taxes. This isn't like the garbage fee. It will make things more unfair to the basic taxpayer than it is now. They're going to have to foot more of the bill whether they use these pools or not. But worst of all is the management end of this thing.

And I have a little background in it. I worked at least three swimming pools as a child. One particular pool I started out as the maintenance man, became a lifeguard, became head lifeguard, became the swimming pool manager. Having no fees or having waived fees for kids is going to be a managerial nightmare. If you don't believe me, ask Mr. Ashley our Acting Director of Parks. Mr. Ashley has been a career Citiparks person. I think we all know him. I think we all respect him. Ask him if he thinks either of these ideas are good ideas. He's going to tell you they're not. I have heard a lot of people that wanted someone of Mr. Ashley's caliber in that position, he's in there now, he's telling you something listen to what he is saying.

Finally, when it comes to kids, I think a lot of us have experience with kids. When you try to instill in a young person a

sense of value, a sense of respect for something, I think you don't do it by opening the doors and giving them something for free. It's not a big fee what is out there now. Five bucks for the whole year for a kid. For some kids ten at most, I think. We're not asking a lot, it is just a little amount to show them that this is a facility that you don't abuse. And believe me pools can be abused. They are abused and I think you're going to just be giving a license for even more abuse with either of these pieces of legislation including the current one.

There is of course a third possibility here. I mean I am voting no on this amendment. I am voting no, I mean I am voting yes on the bill. The bill before us actually imposes the same fees that were in effect last year. The third alternative is a recommitment try to work this thing out again. At some point here if this amendment does not go through I will be making a motion to recommit.

Mr. Udin:

I just want to clarify for the record that there are several concrete proposals that have been put forward as alternatives to pool fees. Some people have suggested that the \$200,000 pool fee is resulting in a structural imbalance and the walls are going to come caving in. Nothing could be further from the truth. We have been informed that there is a seven hundred thousand dollar unexpected CDBG allocation that could be used for the pool fees. We have also agreed that the Players tax there is a sufficient amount of the Players tax that will be collected in 1999 that could be used to offset the pool fees.

There are any number of ways that if this Council had the desire, the will to

provide free swimming especially for as Councilman Diven pointed out eloquently last week just to give the common people a break once in awhile, especially in the midst of giving big projects like the stadiums and the Convention Center and the downtown development. Every once in awhile it would help to give the common people a break as well. But instead of that we're trying to find ways to nickel and dime fees when there are clear alternatives available.

It is not true that no alternatives have been put forward. The alternatives have been put forward and rejected by the people who prefer to impose fees. Somehow believing that these fees are going to control behavior and teach respect. That's not going to happen. There are alternatives and I would just encourage us to be smart about preventing crime and preventing other kinds of deplorable activities that youth can get into if we don't encourage them to use the free access to the swimming pools there are alternatives available.

Mr. Onorato:

Just briefly, Mr. President, it seems like every time I feel like this issue has been resolved one way or the other, a new idea comes up. I got the impression that we have hundreds of thousands of kids putting on their swim trunks and taking them off every five minutes while we debate and deciding if they should go or not.

We have another proposal in front of us and obviously I am going to support this because I have been supporting fees from the beginning. My philosophy on this whole thing is what I have been

stating for years is that city government should be doing three things, public safety, public works and being able to pick up the garbage. Until we can do those and balance our budget, we shouldn't be doing anything else.

I think it is a luxury the number of pools that we have, 32, if you compare to any other city our size no one is even close with that many facilities. I believe the fees are very reasonable, I believe there are ways to allow every child to swim and some of our colleagues came up with some creative ways last summer. I also believe it's a way to keep the pools open all 32 of them. And to put a user fee on them as some of my colleagues have pointed out, the people using them will pick up an additional cost of using them because they are the ones participating in this particular event, even though the entire citizenry is paying for the infrastructure of these pools and will continue to pay for them, I don't see anything wrong with the fee. I don't see anything in contradiction to our policy of a fee. I would argue that when we do find extra money be it CDBG or be it from the Players tax or whatever source we find more money, we have to start diverting this money back to the infrastructure of this city.

I have streets, steps, guardrails falling apart and I know every other colleague does too throughout this city. We are going to have a major discussion tomorrow on a significant amendment to move money into paving the streets, which goes exactly to what I started with. We should be doing public works, public safety and being able to pick up the garbage before we do anything else.

On top of that, we talk we have this

extra money, every one of us here knows that we're still in about a \$20 million structural deficit if you look at the one time hits how we balanced the budget again. I am not so sure the city isn't going to avoid bankruptcy if we don't decide to make some tough decisions soon. So I believe that we don't have the luxury at this point just to start getting rid of fees on pools or on the ice rink or on any other of these activities that we have. I think they are very reasonable fees. It does generate money and no one to date has explained to me where this 60 to 70 or \$100,000 cost of collecting fees.

I was told that we are not laying any one off if we don't have fees and we're not hiring anybody additionally if we have fees. So we're paying that salary regardless if we have fees. Now I know there are some incidental costs because of the person that will be doing this function. But I can't believe it's 100,000 or even \$60,000 and no one has put anything in writing to me yet. I have been asking for it where the so-called cost of collection is so high. I believe it's the right way to go and I will take the compromise over nothing at this point. I hope we have enough votes to do it.

Ms. McDonald:

Ditto. I will take the compromise over nothing at all just to move forward. I am tired of talking about fees. I think we talked about fees longer than we talked many issues. I just want to say though I agree with what Councilman Hertzberg had talked about as far as there being some implications in terms of how to administer this bureaucratically. We're going find that out. I also have taken into consideration his comments from his

experience being a lifeguard and involved in recreation that there may be a higher maintenance cost involved in the long run after all is said and done. After summer time is over we're going to have an assessment on how have our pools been treated.

Because most of the kids will be going in there for free, will they have the same level of respect or will they just, you know, will there be more wear and tear because of a greater lack of responsibility because it is free? I don't know this. One thing I can say about this compromise bill and one of the elements is something that you recommended last week, Council President O'Connor, was to let the kids swim free. After all is said and done consider this a trial basis we can do an assessment, we will see if indeed those pools have been treated with the same level of respect. Yes or no. And it's going hit us if they haven't.

For everyone who wants to let kids swim free, I think that it's time for those of you to try to find some extra moneys because I guarantee we are going to have to spend more. That's okay but just find the money. Just find the money. If the money is there please get it. Please get it.

Another thing is overall administratively, is this going to make a major impact on the overall cost find the money? I am willing to go along with a trial basis. Let the kids swim free. Let's see this more bifurcated structure of fee structure in place, let's see how it works. If parks, if people that actually administer these pool fees collect the moneys etc, if they're pulling their hair out fine. We can always go back to the way it was. We can always go back, back into restructuring the

fees. But the one thing is once you give somebody something, I know politically this to be absolutely correct, never give away something that you plan on taking back later because you won't get it back.

Once you give someone free then you try instituting a fee and see how much it hurts. See how difficult politically it would be. That's the problem with taxes and fees and anything. If you give it away, don't try to take it back other wise or plan on taking the heat for taking it back. That's the only reality I have, but I am willing to go along with a compromise simply because I would just like to move on. I want the kids to swim.

The Chair:

Actually I proposed this amendment last week, I think as a compromise that's why Mr. Ricciardi so politically his experience that came in and said do you want to support your own amendment. I am very disappointed and I think I will speak for all of my colleagues. The last couple years at budget time we all discussed pools. I haven't seen too much of an improvement. We can blame it on the personnel, the director, for whatever reasons but our pools have certainly not increased. I understand there are a few that they have put some things into whether it be sliding boards, we have all encouraged food, concessions, I don't care if it is a pop machine in Schenley Park the pop machine never works. These are things, the pools have been neglected.

Highland Park needed at least I don't know about last year, the year before was never painted and two, three years ago was one of the nicest pools we had. I do see that the increase of attendance there is

better.

I think it is a great asset we have 32 swimming pools. I know one of my pools in Hazelwood the attendance is down, the community would like to run it, more or less what you are doing in Lawrenceville. I think we need some better management of our pools and more concern.

One of the reasons I am very concerned about either bill is the lack of acceptance on the administration's part or our new director. And I am afraid and you can always dictate to a manager but if he doesn't have his heart and soul into it we are going to have problems. So, I think this is at least a compromise if he will accept this time new director and move on. I am afraid if we don't at least work with him he is going or his team will blame everything that goes wrong in the pools on us.

So I know as my 20 years of management experience if the people don't buy into it where in trouble. We're not going to be running these pools any of us. I know Mr. Udin that we had problems at Ammon Pool. When he went up there, all of a sudden they got straightened out. We want discipline at all our pools. I have seen in Schenley we put a tough guard in there he changed the attitude right away and it became a much better place. So there is a lot here to debate and discuss.

I will leave Mr. Ferlo the final word. I am supporting the kids to go free for no other reason for a test. One of the reasons I supported it up front I have been to Schenley, I have seen kids on the other side of the fence who can't come in. And I don't know it's always a money issue, maybe the parents don't fill out the forms.

We have talked about all these issues how come I can't pay.

The pools really need a rejuvenation here. A lot of management looking at redoing it and I would like the new director to get on top of it. I think he has the experience to do it, but if we sent him something he doesn't want or can't work with, then I think we are all going to lose. So that is why I am supporting the amendment to at least let the kids go free. If it works and we can better our pools, I will certainly look for making the pools free the following year. I do believe we have a lot of amendments how to get the money, but we haven't come forward with it. Whether it be the Players tax, our Finance Director can certainly find the money. I think if he rolls up his sleeves he will, but we haven't done that yet. And until we do, I think we ought to at least compromise here.

Mr. Ferlo:

Just to be clear in response to Councilman Cohen if the record reflects right after the first of the year with the new budget taking hold I made a commentary asking yourself as Council President to appoint a committee with the Parks Director. We all knew at the time that we did not have a Parks Director who has since left the payroll. But we actually did ask and I asked that we meet quickly to deal with the pool issue because it was an unresolved issue from the December budget process. And I clearly, Councilman Mr. Udin and others have stated, we have specific money that we have yet to allocate, a half million dollars, in new federal funds that we other wise did not know we were getting in December of '98. That's a specific pot of money

independent of the Players tax or concessionaire or vending or advertising or other kinds of things we even have yet to explore. So, I just want to close with that.

And secondly I am not asking for a ruling but I think this amendment and the bill itself is out of order. I think it violates Council rules, Council Rule number 11 historically has always meant to be the following. That when a bill and a resolution is voted on by Council in a given session of Council, and a session is every two years, when that bill is defeated it cannot be brought back up again during the life of the said Council.

So I just want my point of order to be reflected in the minutes in case I have to go to court. I think this bill and the resolution that the administration has offered is out of order. Because Council disposed of this issue by majority vote of last year December of '98 and according to Council Rule 11, this should not be even brought back up as a subject matter in this term of this City Council which is a two year term. I would like my point of order to be reflected in the minutes.

Mr. Udin:

Just as a point of order. I would like to have the City Solicitor to clarify the point made by Councilman Ferlo. I thought about that when I was watching the discussion of Council earlier this week as to under what circumstances can a decision that is decided on by Council be re-raised in Council. Regardless of how this vote goes, I think it's important that we're clear on the parliamentary ruling in a case like this.

The Chair:

One more suggestion, Mr. Ferlo, I think we all have the same intentions here to better our pools with or without fees. Would you want to and I think within one week if we sit down with Mr. Ashley and see if he can operate these pools with or without a fee, with a half a fee? My suggestion is to maybe recommit and show him show us the money as Mr. Ricciardi said --

Mr. Ferlo:

Will that rid me of these fees?

The Chair:

If we show him the money and he commits to making the pools operate with either no kids or no fee at all, I think unless he is going to take the management initiative we're spinning our wheels. And we are going to be fighting to keep pools open, etc. etc.

Mr. Ferlo:

I propose we amend this bill by fees by district. I think we should have district fees. Those colleagues that want fees like Mr. Ricciardi we should have a Ricciardi fee in that district and not in Council District Seven.

The Chair:

I make a motion to recommit.

Mr. Ferlo:

I think that is a fair democratic way to do it.

MR. HERTZBERG seconded the motion.

Mr. Ferlo:

It is about as logical as this ridiculous event. Double the fees in the district members that want fees, I think that will help pay for everything.

Mr. Hertzberg:

I want to recommit. I think I gave my reasons, for that, but I just want to point out Mr. President, if you're recommitting because you want to see what Mr. Ashley thinks. I talked to him on the phone already. He says this isn't how you manage pools.

Mr. Udin:

Ashley works for the Mayor.

Mr. Hertzberg:

He works for the Mayor. If he gets orders he will do what he is ordered to do, but do you want to know what he truly thinks. I talked to him this morning. If you care.

Mr. Ferlo:

I don't think director, Acting Director Duane Ashley would be sympathetic to this bifurcated system, that is going to drive his staff nuts in my opinion.

The Chair:

Let's show him the money. I mean we do have Players tax if the Players tax can go there and Mr. Udin had some CD money available.

Mr. Ferlo:

This is not an issue that we should dump on Director Ashley. This is not fair to dump this on him. We should decide this matter. His responsibility is to come to the table and say he wants money, he wants fees. I mean what is the point?

The Chair:

My point is let's show him the money. If we show him the three hundred thousand maybe he can increase his staffing and do better. I would like that attitude when he leaves here whether he wins or loses. Right now I don't feel that attitude with our director. Maybe it is coming from the Mayor's Office or where ever it is coming from.

Mr. Cohen:

Mr. President, I certainly respect the idea of recommitting this and I agree with Mr. Ferlo on one point and that is that we should have a revenue replacement source in hand. Just like we do with every other budget matter before we move to waive pool fees. For budget matters, every other budget matter at budget time we say at least for responsible amendments we say if we're going to increase a cost item for one line item then we are going to decrease it for another item. Every single mom and pop in the City of Pittsburgh does the same thing. You don't write a check for a new garage or expansion of your house unless you can pay for it.

It is simple and what I would like to see is just a pinch of common sense in this Council and that is keep the fees unless we find an actual replacement, not an idea but an actual replacement, that is

the responsible thing to do.

The Chair:

I think that is a very fair challenge.

Mr. Udin:

If the bill is recommitted I will have a motion on the table for Council to consider by tomorrow morning at ten a.m.

MR. FERLO seconded the motion.

Mr. Diven:

I would just like to point out to colleagues that this fee before this legislation was introduced two weeks ago we had no fee. We went through the budget process and we voted this down so it is not like we are replacing a fee. Technically we are introducing a new fee that didn't exist when we passed the budget in December.

Mr. Cohen:

Last summer there was a fee.

Mr. Diven:

We voted it down in December in the budget process.

Mr. Onorato:

Point of procedure, there is an amendment with a second on the table. We have to get rid of that first before we do the recommitment. I just wanted to point of procedure for asking the Solicitor to respond. While I agree with Councilman Ferlo to a point, I also think that this is going to fall under the clause in the Home Rule Charter under the budget section

where the Mayor and Council can open the budget, I don't know. But I would like to resolve the amendment first and then to go to the issue of recommitment.

Mr. Udin:

The issue of the recommitment I believe overrides the amendment and brings all of the amendments proposed back to the table for discussion.

Mr. Onorato:

Only a motion to table overrides.

Mr. Udin:

Can we have a parliamentary interpretation please? I will be the parliamentary.

The Chair:

You want to remove the motion, Mr. Ricciardi?

Mr. Ricciardi:

No.

Mr. Udin:

I think we have to vote down the motion then recommit.

The Chair:

Let's vote on the amendment.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen

Ms. McDonald

Mr. Onorato

Mr. Ricciardi

NOES:

Mr. Diven

Mr. Ferlo

Mr. Hertzberg

Mr. Udin

Mr. O'Connor
(Pres't)

Amendment was defeated.

MR. UDIN moved to recommit.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Discussion on the recommitment.
The amendment failed is that correct?

The Chair:

For now.

Mr. Ricciardi:

Fine, thank you.

The Chair:

Roll call vote on the recommitment.
But, Mr. Udin promised us to show us the money by tomorrow.

Mr. Udin:

Ten a.m. I will have a shopping bag.

The Chair:

We will discuss -- both fees are still open.

Mr. Ricciardi:

Mr. President, what was your vote on the amendment.

The Chair:

No. Because I want to bring it back for discussion.

The ayes and noes were taken agreeably to law, and were.

AYES:

Mr. Cohen

Mr. Diven

Mr. Ferlo

Mr. Hertzberg

Mr. Udin

Mr. O'Connor
(Pres't)

(Ms. McDonald, Mr. Onorato, Mr. Ricciardi voted no)

Which motion prevailed.

MR. FERLO PRESENTED:

Bill No. 1323:

Report of the Committee on Engineering and Construction for February 17, 1999, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1224:

Resolution Further amending Resolution No. 781, effective January 1, 1999 entitled "Adopting and approving the 1999 Capital Budget and the 1999

Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvement Program," by reducing the Personnel-Engineering line item by \$108,540.00 and creating a new line item entitled "Non-Salary E & C."

Which was read.

Also,

Bill No. 1225:

Resolution Further amending Resolution No. 781, effective January 1, 1999, entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvement Program," by reducing the Transportation Improvement Program by \$240,000.00 and creating a new line item titled "Glenwood Bridge

Which was read.

Also,

Bill No. 1226:

Resolution Amending Resolution No. 781, effective January 1, 1999, entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvements Program," by reducing the Transportation Improvement Program by \$125,000.00 and creating a new line item titled "Fancourt Street Bridge".

Which was read.

Also,

Bill No. 1227:

Resolution Amending Resolution No. 546, effective October 1, 1998, entitled "Authorizing the Director of the Department of Parks and Recreation to enter into an Agreement with the Brightwood Athletic Association to facilitate the receipt and disbursement of grant monies received by the City of Pittsburgh from the Pennsylvania Department of Community and Economic Development, amending the title to allow the City to initiate the work, and to require the Brightwood Athletic Association. Funds for this contract (\$30,000.00) are available in the Special Parks Program Trust Fund, Account 526100, Fund 7314, Sub-Class 600, Org. 523000, Budget Year 1998.

Which was read.

Also,

Bill No. 1228:

Resolution Providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants in connection with the design of the Fancourt Street Bridge located at the western end of Fort Duquesne Boulevard and spanning the 10th Street By-Pass; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; at a cost not to exceed \$125,000.00.

Which was read.

Also,

Bill No. 1229:

Resolution providing for a Reimbursement Agreement with Allegheny County for improvements to City-owned facilities in conjunction with the Rehabilitation of the Glenwood Bridge by the County; at a cost not to exceed \$240,000.00.

Which was read.

Also,

Bill No. 1230:

Resolution : providing for a Contract or Contracts, or the use of existing Contracts in connection with the renovation of Carnegie Library Branches for handicap accessibility and for the purchase of equipment, materials and supplies for said projects; at a cost not to exceed \$225,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Hertzberg:

On Bill Number 1230 regarding the Carnegie Library Branches and they're making them more accessible. First I would like to ask that the rules of Council be waived. The use of the word handicapped here is inappropriate and this is a minor amendment, but I would make a motion that we waive the rules of Council and I will motion to amend it by substituting the word disability where handicapped appears.

MR. UDIN seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

Motion to amend as set forth

MR. UDIN seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

I would also ask that my comments on this bill from Wednesday's meeting be brought forward. I would like to say that the Carnegie Library has been working on this problem with the city for probably four or five years now to try to do something about some of the major barriers to accessibility to its libraries. I know two of the branches in Council District Two located one on Mount Washington and one on the West End are just terrible, they are totally inaccessible. There are large staircases that have to be encountered before you can get into the main places in the library where all the books are located. Carnegie Library has been working with us and now finally there is an arrangement to at least get some of these problems resolved.

Carnegie Library has agreed to bare the expense of all the architectural and design specifications and we in turn have agreed to spend 225 thousand dollars and you can see this is actually 1998 dollars that are being spent now. This could have been done more quickly, but none the less I am thankful that it is happening.
(See addendum for Comments on Bill 1230)

Mr. Cohen:

Mr. President, on the same bill, I would hope that some of this money will be used for another library and that is the library for the blind and physically disabled on Baum Boulevard in Oakland. I have been working with the Leonard Stacey Library staff to make sure that they're able to get a parking lot right next to the library that is convenient for them. The Engineering and Construction Department has been working on it.

I spoke to the Mayor about it last week, and I hope that some of the money from this bill will go to ensure that a library that is dedicated to blind and physically disabled persons will actually be accessible.

The Chair:

Thank you. Thank you for your work on that, Mr. Hertzberg.

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)
AYES	Eight
NOES	None

Bills have received the legally required number of votes and have passed finally.

The Chair:

Under motions and resolutions.

MOTIONS AND RESOLUTIONS

We have 20 appointments to the Shade Tree Commission. And at the request of Mr. Ferlo he would like to bring them in as a group just to discuss policies more than appointments. Is that okay if we hold that for them to come in?

MR. RICCIARDI moved to adopt.

Mr. Udin:

Bring them in as group.

The Chair:

They will all come in as a group when Mr. Udin can put it into his schedule.

MR. O'CONNOR PRESENTED:

No. 1325 Resolution Authorizing the appointment of Vanessa Pressley Larson, 401 Pin Oak Court, Moon Township, PA 15108, as a member of the Shade Tree Commission, term to expire January 31, 2000.

No. 1326 Resolution Authorizing the appointment of Mary Savage, 7010 Bennett Street, Pittsburgh, PA 15208, as a member of the Shade Tree Commission, term to expire January 31, 2000.

No. 1327 Resolution Authorizing

the appointment of Peggy Smyrnes-Williams, 122 South 17th Street, Pittsburgh, PA 15203, as a member of the Shade Tree Commission, term to expire January 31, 2000.

No. 1328 Resolution authorizing the appointment of Patricia Carr, 305 Raymond Street, Pittsburgh, PA 15218, as a member of the Shade Tree Commission, term to expire January 31, 2000.

No. 1329 Resolution authorizing the appointment of Eddie Shaw, 6351 Phillips Avenue, Pittsburgh, PA 15217, as a member of the Shade Tree Commission, term to expire January 31, 2001.

No. 1330 Resolution authorizing the appointment of Kenny Steinberg, 210 Grant Street, Pittsburgh, PA 15219, as a member of the Shade Tree Commission, term to expire January 31, 2001.

No. 1331 Resolution authorizing the appointment of Ellie Padole, 3309 Beechwood Boulevard, Pittsburgh, PA 15217, as a member of the Shade Tree Commission, term to expire January 31, 2001.

No. 1332 Resolution authorizing the appointment of Lisa Kunst Vavro, Department of Engineering and Construction, as a member of the Shade Tree Commission, term to expire January 31, 2001.

No. 1333 Resolution authorizing the appointment of Mark Remcheck, 2162 The Circle, Washington, PA 15301, as a member of the Shade Tree Commission, term to expire January 31, 2001.

No. 1334 Resolution authorizing

the appointment of Eliza Smith Brown, 5367 Fair Oaks Street, Pittsburgh, PA 15217, as a member of the Shade Tree Commission, term to expire January 31, 2001.

No. 1335 Resolution authorizing the appointment of Nancy Noszka, 1405 Jancey Street, Pittsburgh, PA 15206, as a member of the Shade Tree Commission, term to expire January 31, 2001.

No. 1336 Resolution authorizing the appointment of Nita Fandray Modaro, 128 East Agnew Avenue, Pittsburgh, PA 15210, as a member of the Shade Tree Commission, term to expire January 31, 2001.

No. 1337 Resolution authorizing the appointment of Lindsay Bond Totten, RD#3, 359 Locust Hill Road, Cheswick, PA 15024, as a member of the Shade Tree Commission, term to expire January 31, 2001.

No. 1338 Resolution authorizing the appointment of Myrna Antonio-Hall, Department of Parks and Recreation, as a member of the Shade Tree Commission, term to expire January 31, 2002.

No. 1339 Resolution authorizing the appointment of Ann Jones Gerage, 64 S Fourteenth Street, Pittsburgh, PA 15206, as a member of the Shade Tree Commission, term to expire January 31, 2002.

No. 1340 Resolution authorizing the appointment of Josie Gaskey, Western Pennsylvania Conservancy, 209 Fourth Avenue, Pittsburgh, PA 15222, as a member of the Shade Tree Commission, term to expire January 31, 2002.

No. 1341 Resolution authorizing the appointment of Bill Torbet, Western Pennsylvania Conservancy, 209 Fourth Avenue, Pittsburgh, PA 15222, as a member of the Shade Tree Commission, term to expire January 31, 2002.

No. 1342 Resolution authorizing the appointment of John Hook, 214 Fourth Street, Pittsburgh, PA 15215, as a member of the Shade Tree Commission, term to expire January 31, 2002.

No. 1343 Resolution authorizing the appointment of Judith Donaldson, 650 Smithfield Street, Suite 210, Pittsburgh, PA 15222, as a member of the Shade Tree Commission, term to expire January 31, 2002.

No. 1344 Resolution authorizing the appointment of Dale Vezzettei, Forestry Division, 6520 Stanton Avenue, Pittsburgh, PA 15206, as a member of the Shade Tree Commission, term to expire January 31, 2002.

MR. HERTZBERG moved to adopt.

MR. UDIN seconded the motion.

Which motion prevailed.

MR. O'CONNOR PRESENTS:

No. 1324 Now therefor be it resolved that the Mayor and the Council of the City of Pittsburgh hereby recognizes and declares the Pittsburgh Action Against Rape Inc. to be the civic and or service organization within the context of the Pennsylvania Small Games of Chance Act as amended.

MR. HERTZBERG moved to adopt.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

The Chair:

I would like to announce two public hearings, one today at 2:00 on Bill 1186 and 87. Also tomorrow evening, Thursday, Pittsburgh Works at 6:00 p.m. in Peabody High School and Friday morning we will have an 8:00 meeting with the City Council, School Board and Legislators to discuss our issues in Harrisburg with them, Friday morning.

Mr. Diven:

I would like to ask the Controller's Office to perform a performance audit of the firefighters clothing allowance. I know Council President you have seen the correspondence sent to us by the Fire Bureau Union asking for the protective clothing to be evaluated. I think the best way to proceed with this is to have an independent source evaluate those complaints and give us some recommendation on which way to proceed. So, I will make that motion.

MR. COHEN seconded for discussion.

Mr. Cohen:

Councilman Diven's motion certainly has the best of intentions. Obviously we want our firefighters to have the safest equipment as possible. My only question is and I would support a performance audit if it turns out that this question answers a negative and that is has the administration - I don't know what the

current state of affairs is. Has the administration actually been negotiating with the firefighters over this issue? If they have not agreed to provide to certain things – I guess my thought is before we actually get to a performance audit let's make sure that all other remedies have been exhausted and I am not sure that that has happened yet.

Mr. Diven:

I think that you know in response to that there is a line item in the budget, which covers protective clothing. I think just for Council's own knowledge we should at least be aware of how that is spent? And what are the criteria for the protective clothing? And how we are making sure that the equipment that we are purchasing for firefighters is the kind of equipment that is going to provide them with the best protection?

Mr. Cohen:

Fine, I read that letter from Joey King. It just wasn't clear to me at least in that letter whether there has been a proposal and a counter proposal and the two sides are actually sitting down to discuss what is actually necessary for protective clothing and equipment for the firefighters.

The Chair:

I believe they were up to date living up to the agreements that Council okays the money. There is a snag and I have sent a request to the Mayor's Office. Mr. Sirabella got back to me verbally and I believe Mr. King has a meeting with the Chief. Is it tomorrow?

Mr. Diven:

I believe so.

The Chair:

I don't know if it is an arbitration complaint or not.

Mr. Diven:

I am not sure.

Mr. Cohen:

In terms of the timing and again I am agreeing with everything Councilman Diven is saying, it is just I don't know if the process is the right thing right now.

In terms of the timing, does that mean we wait until a performance audit is completed, before they can actually sit down at the table and negotiate this? If it is something that is easily negotiated or relatively easily negotiated then it seems to me that we should allow the parties to negotiate before doing a performance audit. That is my only thought on it.

Mr. Diven:

I guess my response to that would be I think Council regardless of whether the Mayor's Office and the Union and the administration work this out, I think it would be a good way for us to get first hand knowledge as to what background and putting together the protective clothing uniform purchases for the firefighters takes place and what kind of protection we are offering them.

Hopefully the Controller can kind of benchmark them with other departments nationally. I think when we talk about

safety of our employees especially those who are going into the Fire Bureau, their job requirements, I think having more information or too much information is better than not at least taking a cursory look from the Controller's perspective to see if we are fulfilling our obligations.

Mr. Cohen:

Mr. President, I think Councilman Diven makes a very good point. I will support it.

The Chair:

I think Mr. Diven is clear he wants to get the ball rolling too. Get them to come to the table and make sure our firefighters and all of our safety people have the best equipment available especially when the money is there. There can be an honest reason for a delay, but I don't think we want that delay to be as short as possible.

Do we have a second on the motion?

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Any other discussions? While we are on audits, I would also like the Controller to not just audit but to review and tighten the controls and guidelines on some of our whether it be B contracts or how the Public Works went out and spent \$25,000 on these 14 year old dump trucks. I understand although maybe no rules were broken but the guidelines have to be tightened up.

So, talking to Mr. Costa I know he has some things in place and he would like to work closer with Public Works. But right now I would like to audit that and make sure we are doing the right thing. Going out and spending \$400,000 on old trucks may have not been in the right way to spend our money. So there have been a lot of concerns about that, I have gotten a lot of phone calls.

I would like to request the Controller to at least review the guidelines and make sure everyone is on the same page. If I can have a second on that.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Motion for minutes.

MR. ONORATO moved to approve the minutes.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. HERTZBERG moved to adjourn the meeting.

MR. ONORATO seconded the motion.

And on the motion made by Mr. Hertzberg, the meeting adjourned.

ADDENDUM

Mr. Hertzberg's comments on Bills
1235 and 1230 can be found in the
Standing Committees Meeting minutes of
February 17, 1999.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXIII

March 2, 1999

No. 9

Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, March 2, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

Will we all please rise for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God indivisible with liberty and justice for all.

PRESENTATIONS

Ms. McDonald:

Would all representatives and participants and awardees of the Renaissance Publications Annual Black Trailblazers please come forward to receive a resolution. Councilman Udin, we're co-sponsoring this. We are all here? I am going to read the proclamation.

MS. MCDONALD AND MR. UDIN PRESENT:

No. 1345 WHEREAS, on March 20, 1999, Renaissance Publications will sponsor the 14th Annual Black Extravaganza and Trailblazer Awards Ceremony; and

WHEREAS, honorary Chairpersons for the event are Mr. Charles Powell and Mrs. Cecile M. Springer; and

WHEREAS, since 1986, Renaissance Publications has recognized African-Americans who have worked tirelessly in their professions-openings doors for younger generations to follow. Those selected have made a positive impact in our community by enabling others to continue to achieve; and

WHEREAS, this year's 1999 Black Trailblazers, are recognized for their exemplary contributions within their fields. The Honorees this year include: Louis Kendrick, Community Advocate; Lawrence Howard, Ph.D., Higher Education; Alberta Thompson, Public

Service; Reverend Thomas E. Smith, Religion; Mulugetta Birru, Economic Development; Lavera Brown, Community Service; Doris M. Handy, Community Service; Julius Jones, Leadership Achievement; Joseph L. Hines, Leadership Achievement; and Edna McKenzie, Ph.D.; and

WHEREAS, the recipients of 1999 KDKA Lift Up Awardees are Ronald Lawrence, AdTranz; Donald P. Watson, Worksmith Institute; Shelley D. Hammond, National City; and the Minority Purchasing Council, Small Business Association; and

WHEREAS, corporate sponsors include: Equitable Resource, Inc., The Worksmith Institute, Adtranz, Giant Eagle Market, Mellon Bank, Port Authority, National City Bank, and KDKA; and

WHEREAS, over 100 volunteers have worked to produce Black Extravaganza. Their efforts are a testimony to the accomplishments of the awardees.

NOW, THEREFORE BE IT RESOLVED, that the Council in the City of Pittsburgh commends the honorees for 1999 Black Trailblazers and KDKA Lift Up Awards, they have made tremendous contributions to the City of Pittsburgh. We extend our appreciation to Renaissance Publications for its efforts to highlight the achievements of African-Americans with the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Ms. McDonald:

Thank you very much. It is with honor that there has been 14 years of recognition of African Americans in the greater Pittsburgh area, in the region, for their accomplishments and it's all due to Connie Portus. She keeps such a low profile. Connie has been giving at a boys to so many individuals who other wise would not get recognized, would not get an at a boy but needs one and deserves one.

So again, Connie, I thank you just personally on my behalf and I think the City of Pittsburgh thanks you for at least allowing the public to know who our achievers are. Again, many of them work in corporate America, you don't see them but they need to know. The public needs to know that they are there.

So congratulations to all the awardees every single one of you all. I am going to turn it over to Councilman Udin and then, Connie, if you would please say some words, announce the day, you know all that good stuff and who is who here.

Mr. Udin:

Thank you. I will be brief. I want to congratulate Connie Portus and all of the trailblazers. The resolution speaks for itself in terms of how we feel about all the trailblazers and your work over the years speaks for itself.

The characteristic of a trailblazer is someone who goes ahead of the pack, someone who goes first and then those who come later, weeks later, months later, years later, generations later, kind of walk

down the path sometimes as though they created the path. The people who actually created the path are frequently not remembered. But trailblazers are the ones who initially blaze the paths that people like Valerie McDonald and myself can walk down and represent you on. So we acknowledge you and thank you today. Thanks for coming down.

Ms. Portus:

I want to thank you so much for this recognition. It is so important to us that we extend Black History Month throughout the year and that we pay tribute to people who have paved the way for all of us, not just African Americans but for all of us to be where we are today.

We're celebrating our 14th year recognizing the contributions of African Americans to our community. Our theme this year is pride, progress and promise for the future. And it is exemplified through the work of our trailblazers. The fruits of their labor and their triumphs are realized in the positions held by our KDKA Lift Up honorees. And the way in which they impact the workplace and their communities.

The presence of the trailblazers is felt but maybe not recognized by the young people that we will honor this year, our 1999 equitable resources and advance young achievers. They're all high school students, seniors and college students who are the next generation to walk through the doors our trailblazers have forged open. And who is first we hope are first and who is first will be in terms of the 1999 young achievers we hope that their firsts will be first for Americans and not just African Americans.

The true spirit of the black extravaganza and trailblazer award is to celebrate with the entire community how much we appreciate the work of those we will honor this year. I invite you all to come March 20th in the splendor of our own Carnegie Museum, seven o'clock. We have lots of exciting things planned. We have 20 African American chefs and caterers who prepare our soul and spice food buffet, over 100 volunteers who come from the community, spend their time and work with the trailblazers and the other honorees to make this event really a wonderful elegant occasion. And we invite you all to join us.

I have asked a couple of our honorees to say something today. Mr. Joe Heinz followed by Reverend Thomas Smith.

Mr. Heinz:

Thank you, Connie. Good morning all and I am pleased and honored to be here and I have been asked to say a couple things on behalf of the honored trailblazers that the event will take place on March 20th. I would be remiss if I didn't first acknowledge the creator of the trail that we are supposedly blazing and that's my Lord and creator and I want to put that up front. And that none of this would be possible without him.

But in speaking on behalf of the trailblazers I would like to thank you for the opportunity to present ourselves here. We didn't get to where we are by ourselves and I think that's a common tune that you will hear sung, it is a common thread throughout anyone's accomplishments. No man or woman gets any place in life or

station whatever it may be without help and without someone who has gone before them.

So on behalf of the trailblazers and I know that we are all honored and humbled to be here, and I want to thank you very, very much and thank you, Connie and Renaissance Publications.

Mr. Smith:

To the President and members of City Council to my fellow trailblazers, I would just echo the sentiments of Brother Heinz. Truly all of us stand on the shoulders of those who have gone before us. And there are great challenges yet before us. And I would certainly think that all of us would say how appreciative we are of Connie Portus who has taken the time to recognize and to pay tribute to those who are trying to make a positive contribution to our city. It is not just the things that black folk do for black folk but it is a thing that human beings do to help make the city in which they live a better place for all.

So on behalf of all the trailblazers again, we would thank Connie Portus for the fine work that she does and for all of you for allowing us to serve you. Thank you.

The Chair:

We have two to be read into the record.

MR. ONORATO PRESENTS:

No. 1346 WHEREAS, Pittsburgh Cable News Channel (PCNC) came on-line in the City of Pittsburgh and several

surrounding suburbs on January 1, 1994 and is Pittsburgh's first and only 24-hour/day, local-regional news, talk and information channel; and

WHEREAS, on Wednesday, March 3, 1999 PCNC celebrates its 5th Anniversary; and

WHEREAS, PCNC's "10 O'Clock News" was the first live 10:00 p.m. newscast available in the Pittsburgh market. Additionally, with today's hectic schedules, retecasts of the latest Channel 11 news programs enables viewers to see the news when it's convenient for them; and

WHEREAS, PCNC gives individuals in nearly 700,000 homes the opportunity to speak directly to many of their local, state and federal legislators by way of "NightTalk with John McIntire" and "Cullen on Cable"; and

WHEREAS, PCNC varies its informative programming to reach people with many interests having offered shows like "A Time for Living" for people over 55 years of age, "The Doctor Is In" for anyone interested in a wide range of medical topics, "Pittsburgh's Cooking" for those who enjoy the culinary arts, "Aesthetic Medicine" for people interested in the breakthrough techniques of cosmetic surgery; and

WHEREAS, PCNC viewers get extended coverage of breaking news stories and community events unavailable any where else; and

WHEREAS, as a 24-hour local regional news channel the Pittsburgh Cable News Channel serves a six county

area and the City of Pittsburgh. PCNC is part of the community it serves and takes its responsibility seriously.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates PCNC on its fifth anniversary and wishes them many more.

MR. RICCIARDI AND MR. DIVEN PRESENT:

No. 1347 Whereas, Daniel A. Goetz devoted his adult life to the service of others, including to his wife Lois Ann and their four children, to the business he founded, its employees, stockholders and the public it serves, and to the numerous nonprofit healthcare and human service agencies he has supported with his time and talents; and,

Whereas, Daniel A. Goetz founded Stylette, Inc., a plastics company, on the South Side of Pittsburgh, providing employment for community residents and support for local community organizations; and,

Whereas, Mr. Goetz served faithfully at various times as director, past chairman and vice chairman of the South Side Hospital helping to insure quality health care for the citizens of Pittsburgh's southern neighborhoods until the hospital's acquisition by UPMC Healthcare System in 1996; and,

Whereas, Daniel A. Goetz has been a member of the Birmingham Foundation since its inception in 1996, served as its president for the past two years and helped to assure the profits from the sale of the South Side Hospital will always benefit

health and human services for the people of South Pittsburgh; and,

Whereas, Daniel A. Goetz serves as chairman of the Board of Iron and Glass Bancorp and its subsidiary, Iron & Glass Bank and has served as a member of the board of the DePaul Institute, a nonprofit agency in Brookline that provides services to hearing and speech impaired children; and,

Whereas, Daniel A. Goetz personifies dedication, service and devotion beyond that required of any volunteer. In recognition of his community service, the Board of Directors of the DePaul Institute is naming the new language development center The Daniel A. Goetz Center. The center will be dedicated March 3, 1999, and will provide assistance to infants and toddlers of the tri-state area in early language development free of charge; and,

Now, therefore, be it resolved that the Council of the City of Pittsburgh recognizes Daniel A. Goetz for his volunteer work and dedication to the people of the City of Pittsburgh and declares Wednesday, March 3, 1999 Daniel A. Goetz Day in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolutions.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I want to thank Dr. McKenzie, for autographing her book for me that my

good friend Mr. Shupalla (phonetic), her brother, was nice enough to bring me this morning. So we're going to be helping to promote the book. The book has selected essays on contemporary African-American issues by Dr. McKenzie who just recently retired from the community college, very distinguished author. I want to thank her for the book.

The Chair:

Congratulations, Dr. McKenzie.
How do we get a copy?

Mr. Ferlo:

They are available for sale. You can call my office and we will hook you up with Mr. Shupalla, her brother, who is the booking agent I guess you call it.

The Chair:

Jerry Cozwith and members of the Red Cross please come up. Jerry Cozwith, the Executive Director of the South Western Pennsylvania Chapter of the Red Cross, David Angle, Mike Stack and Anne Marie Weeks. Thank you very much for coming. I would like to read the proclamation.

MR. O'CONNOR AND ALL MEMBERS OF COUNCIL PRESENT:

No. 1348 WHEREAS, the American Red Cross was founded in 1881 by Clara Barton who sought to improve the quality of life and to enhance individual self-reliance and concern for others, and to help people avoid, prepare for and cope with emergencies; and,

WHEREAS, the American Red Cross provides volunteer blood services, community services, and communication between the American people and their Armed Forces; and,

WHEREAS, the Southwestern Pennsylvania Chapter of the American Red Cross was established on February 23, 1917, to assist members of our Armed Forces and their dependents, and to provide relief in time of natural disasters; and,

WHEREAS, the Southwestern Pennsylvania Chapter of the American Red Cross has provided the above mentioned and more humanitarian services to meet the needs of the citizens of the City of Pittsburgh; and,

WHEREAS, last year, the Southwestern Pennsylvania Chapter of the American Red Cross provided over 500 Allegheny County families with disaster assistance; trained over 35,000 Allegheny County residents in CPR and first-aid, including Pittsburgh Police Academy cadets, Housing Authority personnel and Department of Parks and Recreation lifeguards; transmitted over 1,500 emergency messages to Allegheny County armed forces personnel and their families; logged 89 international tracing cases; worked with hundreds of disadvantaged children through the Foster Grandparent Program; provided meaningful volunteer opportunities to over 1,000 senior volunteers through the Senior and Retired Volunteer Program.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the important and necessary role that the

American Red Cross has contributed towards the well-being of all our citizens; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Southwestern Pennsylvania Chapter of the American Red Cross for their humanitarian endeavors and encourages its citizens to contribute in any way possible towards their efforts and declares Tuesday, March 2, 1999, "Red Cross Month" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

I guess this year we kept you busy with Mount Washington and a lot of other unfortunate tragedies but we are always so glad and hopefully we don't need you but we do. It shows how many people you have been involved with. I didn't realize you were involved with the foster grandparents program. I know in Glasgow School I attended their program it's a tremendous program and helps so many children. Thank you.

Mr. Cozwith:

On behalf of thousands of people whose lives are indeed touched by the Red Cross program serving Greater Pittsburgh and Allegheny County, I thank you Council members for your recognition and the encouragement. It has often been said if there wasn't an American Red Cross you

would have to sort of create it because when crises occur you need something already in place to respond. We're glad to work in partnership with the law enforcement, emergency management, your fire department and others to make sure that when people are in a crises there is a caring and helping neighbor there to step up and offer assistance.

On behalf of the volunteers and all the people whose lives are touched and all the people who donate the funds and time, thank you for your honor.

Mr. Angle:

I want to thank Council for running and doing the proclamation. I think that on behalf of the volunteers of the chapter, we appreciate your support and all the help that you have given us over the years.

The Chair:

Mike Wine and Bary Wolen please come up. Mr. Cohen, would you like to come up and help me read this resolution? We're here to read the resolution and the resolution explains a lot but also we have a big event in Pittsburgh coming Monday night at 7:30 to Soldiers and Sailors Hall, and I will let Michael explain. But I want to read the resolution first.

MR. O'CONNOR AND ALL MEMBERS OF COUNCIL PRESENT:

No. 1349 WHEREAS, 28-year-old Christoph Meili was a watchman for the Union Bank of Switzerland; and,

WHEREAS, while on duty at Union Bank in January of 1997, Christoph

discovered Holocaust-era documents which were about to be shredded; and,

WHEREAS, Christoph faced the biggest decision of his life - whether to turn his back or turn the papers over to authorities and the Jewish community; and,

WHEREAS, Christoph chose the latter, ultimately putting his life and job in danger; and,

WHEREAS, upon the loss of his job and amid death threats and hate mail, Christoph Meili, his wife and two small children, were forced to flee their home; and,

WHEREAS, the Meili's became the first and only Swiss Nationals to be granted political asylum in the United States and an international figure, having been featured in Time Magazine and the Oprah show; and,

WHEREAS, the role Swiss banks played in World War II has become the subject of much debate and legal action; and,

WHEREAS, since his arrival in the United States, Christoph has earned a full, four-year scholarship to attend Chapman University in California and will begin his studies this fall; and,

WHEREAS, on March 8, 1999, Pittsburghers will have the opportunity to hear Meili's story for themselves, sponsored by Pathways of the Kollel Jewish Learning Center, Meili will appear at Soldiers & Sailors Memorial Hall in Oakland.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Christoph Meili on his courageous efforts in the name of justice; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby wish the Christoph Meili and his family the very best and declares Monday, March 8, 1999, "Christoph Meili Day" in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

He certainly has an exciting story to tell. I will let you explain all the details. We have quite an event coming up next week.

Mr. Wine:

First, I would like to thank City Council President, Bob O'Connor, who has been a very good friend to the Kollel and my Councilman Dan who is a neighbor of mine as well.

I had an opportunity to meet Christoph Meili at a National Conference, the United Jewish Appeal Young Leadership Conference and I was really struck by what he and his family undertook. He was really one of the linchpins in gaining public knowledge that there was complicity between the Swiss Banking Industry and the Nazi's during World War II. They have literally made

billions of dollars off of plundered money and art objects and jewelry. I am sure you have all seen in the national media that this is a very, very big issue.

Well, Christoph when you have an opportunity to meet him it is almost surprising because he is a very humbled soft-spoken individual. I began to think what possibly could have turned an ordinary night watchman into an extraordinary international hero. It was that he is indeed a righteous gentile and he believed with every fiber in his being that he was doing the right thing. Even though he knew it was going to put his wife, and his two very small children in jeopardy he took the challenge.

Rabbi Hillel has said if I am not for myself who will be? If I am only for myself, what am I? If not now, when? Christoph took that challenge and for that reason I am very proud of that City Council is honoring him. I hope to see all of you out on Monday, March 8 at 7:30 at Soldiers and Sailors. Thank you again.

The Chair:

I have never known you to be lost for words, Bary.

Mr. Cohen:

There is not much you can add to what Michael Wine just said and I certainly look forward to that event on Monday evening. The ramifications of the evil that took place in the Holocaust continued to have impact on us. But at the same time there are stories of courage, people who courageously stood up to the holocaust and to hear the ramifications of the holocaust and this gentleman who will

be coming here Monday night certainly has a story of courage.

If you haven't seen the movie Life is Beautiful, you will see another story of courage which is one of the most powerful movies that I have ever seen and I just saw it this past weekend. So we need to continue to think about the holocaust, about the effect that it's had on the world and how we somehow can become better human beings because of the evil that took place.

So thank you very much for putting on this program Monday evening and I look forward to observing it and to hearing this man come to Pittsburgh. Thanks so much.

The Chair:

Now move to presentation of papers.

MR. COHEN PRESENTED:

No. 1350 Resolution authorizing the transfer of Sixteen Thousand Dollars (\$16,000.00) from the Cable Communications Trust Fund to the Equipment Leasing Authority for the purchase of vehicles and related accessories.

No. 1351 Resolution authorizing the transfer of Nineteen Thousand One Hundred Dollars (\$19,100.00) from the Building of Bureau Inspection Trust Fund to the Equipment Leasing Authority Fund for the purchase of vehicles and related accessories.

No. 1352 Resolution authorizing the transfer of Three Hundred Sixty

Thousand Dollars (\$360,000.00) from the Emergency Medical Services Trust Fund to the Equipment Leasing Authority Fund for the purchase of vehicles and related accessories.

Which were read and referred to the Committee on Finance and Budget.

MR. DIVEN PRESENTED:

No. 1353 Resolution transferring \$5,500.00 from Emergency Medical Services Salaries Account to Emergency Medical Services Tuition Reimbursement Account for EMS Personnel.

Which was read and referred to the Committee on Finance and Budget.

No. 1354 Resolution providing for a contract or contracts from time to time in connection with demolition and removal of condemned buildings and providing for the payment of the costs thereof, Capital Project Funds, Peoplesoft Fund 5100, cost not to exceed \$600,000.00.

No. 1355 Resolution providing for a contract or contracts from time to time in connection with demolition and removal of condemned buildings and providing for the payment of the cost thereof; Community Development, Peoplesoft Fund 2610, cost not to exceed \$450,000.00.

Which were read and referred to the Committee on Public Safety Services.

MR. FERLO PRESENTED:

No. 1356 Resolution amending Resolution No. 626 of 1998, effective November 5, 1998, entitled "Resolution

authorizing and directing the Mayor, Solicitor and the Director of Parks and Recreation to enter into a Lease and Agreement with the Boys and Girls Club of Western Pennsylvania, in connection with the construction, maintenance and operation of a community recreation and park facility in Leslie Park, 9th Ward, City of Pittsburgh" by changing the terms of the Lease and signatures to the Lease.---
(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Parks, Recreation & Youth Policy.

MR. FERLO moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. ONORATO PRESENTED:

No. 1357 Resolution further amending Res. 781/1998 entitled "Adopting & Approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvement Program, by transferring \$4,000,000.00 from various accounts to Citywide Resurfacing Code Account. ---
(SPONSORED BY MR. ONORATO)

Which was read and referred to the Committee on Public Works, Water & Environmental Services.

MR. ONORATO moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. UDIN PRESENTED:

No. 1358 Resolution transferring \$107,708.00 from various 1997 accounts Citywide to the Fire Bureau's 1997 Salary Account in order to resolve deficits in the 1997 Fire Payroll Accounts.

No. 1359 Resolution transferring \$128,274.00 from various 1997 accounts Citywide to the Fire Bureau's 1997 Premium Pay Account in order to resolve deficits in 1997 Fire Payroll Accounts.

No. 1360 Resolution extending the term of existence of the Public Auditorium Authority of Pittsburgh and Allegheny County, term to expire 50 years from the date of approval.

No. 1361 Resolution authorization for the Controller to release 1996 Pre-Encumbrances outstanding in the Mayor's Office that are longer needed. Releasing these old pre-encumbrances that are currently in the Peoplesoft System for the Mayor's Office.

Which were read and referred to the Committee on Finance and Budget.

The Chair:

Thank you. Any unfinished

business to come in front of Council this morning?

Hearing none, move to Committee Chair Reports, District 9, Ms. McDonald, Housing, Economic Development.

CHAIR REPORTS

Ms. McDonald:

Thank you, Mr. President. I am going to be very brief. Of course legislation that involves economic development is discussed at Standing Committee and next that will be coming forward is the PNC 1st side center development. That's been held for a number of weeks and it should be on the agenda for this Wednesday.

Also, for ACBO funding since that is a process that is initiated early on in the year, letters were sent out requesting concept papers at the beginning of January. The concept papers were due January 29th and the review process is underway for ACBO funding. They are doing it a little differently this year where there will be kind of bifurcated. There are two ways they can have it. One is, I will get it later. I can't read it. But there are two ways they can apply for funding. One is I think like mortar and brick and the other is more programmatic.

Lastly as far as Post Agendas or informational items. Alan Hertzberg and myself, Alan Hertzberg is taking the lead on this to convene a Post Agenda to discuss the Federal Economic Zones Empowerment Zones. It was originally scheduled for March 2nd it has been rescheduled for what day, Ms. Johnson-Wasler? I believe it is March 5. Tuesday, March 30th, I assume at two o'clock.

There will be a Post Agenda to discuss the Federal Empowerment Zones and that is in response to questions by Council members.

But also there were questions raised about the Keystone Opportunity Zone and why we were so late in scrambling for support for whatever. I am still gathering information on the process. I believe February 25th is when the decisions will be finally made or papers will be submitted to the Governor. Let me read this.

The South Western Pennsylvania Regional Development Council is applying on behalf of Allegheny County, Armstrong, Beaver, Fayette, Green, Washington and West Moreland counties. A decision was expected by February 28th. I am in touch with Chuck Kolling to find out any more information on that and to make sure that we stay abreast of that application process so we're not scrambling at the last minute. But the Southwestern Pennsylvania Commission which is a successor to the South Western Pennsylvania Regional Planning Commission they are the ones that decided the KO sites everyone wondered well who made the decision, it was the South Western Planning Commission. That's who you have to party with on that one.

And lastly for the TIF, I am still in the process of developing the TIF committee in response to the legislation that we passed. The reason it's been long coming is because the TIF legislation and committees are in response to TIF's that are coming down the pike. The ones that we have discussed at the table including the PNC First Side, Home Depot, South Side those have already -- those are more

or less grandfathered because they have already been developed. So the TIF committee will be forthcoming particularly when there is some type of indication that a new TIF is coming down the pike.

Mr. Hertzberg:

Thanks. I received also something regarding the TIF's and also the legislation that called for an analysis of them that Mr. O'Connor authored. I was wondering if we could get a status report on that since it is a related topic? I know it seems like we're moving ahead and I don't know if a selection has been made yet, but I now there were responses that looked like excellent responses to our questions. And I was wondering if we can get an update on that?

The Chair:

Yes. We received as of February 19th, I think that was the due date three responses to our RFP and I will get all of you copies of that to have your input. I think Director Birru should be one of the key persons to help us evaluate and then we would go out again and hire one of these organizations to -- I think it just complements what you're doing work together to really set the future. We're not criticizing the pass as much as what we have done and where do we go from here. I will be sharing those if you stop in my office I will give all of you copies of what we have received back.

The Chair:

On the ACBO money, Mr. Ferlo, you are the expert on that. Is that going to be the same? I mean you were just saying the hearing is coming up. Is that money

that will be put out this year? In other words --

Mr. Ferlo:

Council in the '99 budget allocated a pot of money, a greater sum -- I believe Councilman Onorato may look at that issue right now in terms of the money. I believe the pot of money went up from \$500,000 to \$900,000.

The Chair:

Have the groups been finalized? I guess that was my main question.

Mr. Ferlo:

I believe that the request for proposals have gone out and proposals are now into the Planning Department and to the committee and I presume there are more groups seeking money than available funds. They're a number of organizations that are continually getting you know basic core funding of support.

I am sure there are opportunities for new groups as well but that process continues unless Council either changes the amount or changes the allocation process. But there is no more allocation of the so-called Pittsburgh partnership pot of money, basically everything has been folded into the ACBO funding stream.

The Chair:

The Public Hearing on March 30th would your concerns address the federal job, remember the job centers whether they were going to be downtown or in the neighborhoods all that combination.

Mr. Ferlo:

This Council continued to allocate a little over \$300,000 in the '99 budget for the continued operational support for the community employment centers. I don't know where the administration is at right now and whether or not they are going to continue funding all of these centers passed. I believe there were contracts that went out June 1 and we might want to ask Director Parees to give us an update. I think there was an effort to either consolidate some of the community employment offices or maybe make more clear what their activities and responsibilities would be, but maybe we need to get an update report from Director Parees since her last Post Agenda meeting of several months ago.

The Chair:

I will ask her for an update.

Ms. McDonald:

Moneys will be distributed for ACBO through two funds, the Development Fund and Facilitation of Development Fund. And they must self-select which stream they're going to apply for. This is the first year that this is the way we're doing this that the operating support funding is being structured in this way. So again there is more money and we will be in touch with Director Hirsh and in terms of when we would be able to review that.

The Chair:

Thank you. Any other questions.

Hearing none. Move to reports of

committees.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1362:

Report of the committee on Finance and Budget for February 24, 1999, transmitting two resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1262:

Resolution providing for the issuance of a \$2,858.62 warrant in favor of Jan Sipula, 107 Dunbar Drive, Pittsburgh, PA 15235 in settlement of a claim in which a City Public Works truck hit and damaged claimant's vehicle.

Which was read.

Also,

Bill No. 1263:

Resolution authorizing the purchase of a \$15,000.00 group life insurance for each part-time, non-union employee. The cost of these life insurance policies will be paid out of Account 571100, of the City's Employee Benefits Account.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills? Bills are now ready for final action.

All those in favor of the passage of the bills vote aye when your name are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine NOES None

Bills have received the legally required number of votes and have passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 1363:

Report of the Committee on Public Works, Water and Environmental Services for February 24, 1999, transmitting one ordinance and two resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1195:

Resolution providing for a Contract or Contracts, or the use of existing Contracts for street resurfacing programs to include but not limited to ultra thin hot mix asphalt, hot mix asphalt, crack sealing, micro surfacing, sawing and sealing, nova chip, flexible pavement,

asphalt milling, truck rental, brick and blockstone repairs, handicap ramps, concrete slab replacement and parks related asphalt work at various locations throughout the City of Pittsburgh, at a cost not to exceed \$2,815,000.00 Dollars.

Which was read.

Also,

Bill No. 1196:

Resolution providing for a Contract or Contracts, or the use of existing Contracts for street resurfacing programs to include but not limited to ultra thin hot mix asphalt, hot mix asphalt, crack sealing, micro surfacing, sawing and sealing, nova chip, flexible pavement, asphalt milling, truck rental, brick and blockstone repairs, handicap ramps, concrete slab replacement and parks related asphalt work in CD areas throughout the City of Pittsburgh at a cost not to exceed \$2,161,603.00 Dollars.

Which was read.

Also,

Bill No. 1260:

An Ordinance Supplementing the Pittsburgh Code, Title Seven, Business Licensing, Article VII, Service Businesses, Chapter 765, Commercial Hauling of Municipal Waste, by adding requirements to keep dumpster lids closed at all times. --
-(SPONSORED BY MR. RICCIARDI)

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Onorato:

I have an amendment that everyone has in front of them for bills 1195 and 1196 that I will put up together because they are really the same type of amendment. Bill 1195 I have an amendment -- I make a motion to amend the authorization amount so that we increase the amount by an additional \$3 million of city bond money. And if I could just explain the details, the \$3 million was introduced today on a different bill that actually amends the capital budget, so today's amendment is only increasing the authorization by an additional \$3 million city bond money.

MR. HERTZBERG seconded for discussion.

Mr. Hertzberg:

I certainly support these amendments and I think it just sets forth our strong policy concerns here that we increase the amount of funding for our streets. That this Council thinks this is one of the primary things we should be doing and we realize the current level is just insufficient to be doing the job that we need to be doing just to maintain our streets properly. And we will have to work with the numbers and the sources that Mr. Onorato has given us to see if they're the most appropriate sources. But by voting for this amendment today, we at least take the first step and commit ourselves to finding the money some where in the capital budget to make this happen.

Mr. Onorato:

Mr. President, if I could also with the additional motion because we will put them on the table together, amending Bill 1196 by increasing the authorization by a million dollars of CDBG that's another motion if we have a second.

MR. HERTZBERG seconded the motion.

Mr. Onorato:

Both bills would increase the total authorization for street paving by a total of \$4 million. It would take our street-paving amount from roughly \$5 million to \$9 million, we're almost doubling it. Tomorrow we will have the debate of where to take it from on the capital budget, but the authorization would be to increase by an additional \$4 million overall for street paving.

Ms. McDonald:

I just wanted to ask Councilman Onorato, I have no problem supporting an increase in funding. I guess the meat and potatoes of the discussion will be tomorrow when we discuss where the money comes from, that is going to be the painful part.

What I wanted to ask Councilman Onorato though is that if after deliberation tomorrow that there is not a consensus on where the money comes from, such that it decreases the amount or changes the amount in anyway, would you be willing to provide an amendment to this amendment that you're presenting today for the \$4 million? Would you modify it?

Mr. Onorato:

Luckily the way the bill is reading, the one that we are amending today, it puts in the words as a cost not to exceed. So even though we are authorizing up to nine million, you don't have to spend nine million. If we don't put the money in to spend nine, we will only spend what we actually appropriate. So it's up to nine, can't go above it if we only put \$5 million they can only spend \$5 million. So it sort of works on its own. We don't have to re-amend this bill.

Ms. McDonald:

That's my only concern. I don't mind again increasing the pot. I just want to make sure though that if after discussion tomorrow, and I am sure it will be a wonderful debate here as to where the money comes from, that if we don't come up with four million as a pot of money, that if it is reduced it won't impact upon the other programs.

Mr. Onorato:

It won't. If I could just comment, the bill that will be up tomorrow that I introduced today and we waived rule eight on, I have detailed the amount of the \$4 million and I selected certain categories out of the capital budget that I am recommending that we decrease.

So my proposal is in front of us and I am very receptive to any friendly amendment, if there is a line item in here that someone feels adamant about if they want to come back with corresponding adjustment from somewhere else, that's fine with me. I thought this was a good way to get the debate started. I presented it last week and, colleagues, you have had this for seven days. I look forward to the

debate tomorrow for any adjustments or friendly amendments to it but this is one Council person's suggestion of where to take the \$4 million from.

The Chair:

So you are saying this is a blue print for tomorrow's discussion.

Mr. Onorato:

I am actually prepared to vote on this tomorrow if I can get four other votes, but I am receptive to friendly amendments to it.

Mr. Ferlo:

There are two issues I have concerns about. First the bill itself as it was amended. I am still concerned about regardless of what the final figure is as to what we're appropriating \$5 million versus nine million? I am still basically concerned about the manor in which dollars are expended either by outside contract or by the in-house personnel. I know there have been some changes. I don't exactly know why parks related asphalt work was all omitted out of the bill. Does that mean we are not going to be utilizing city asphalt in our parks, streets in our parks? Some one could clarify that.

The Chair:

I will let you answer that, but really tomorrow's discussion I think that's what it should be about.

Mr. Ferlo:

It is being admitted today, I was

wondering what was the rationale?

Mr. Hertzberg:

All right. I want to do one amendment at a time but there are going to be amendments made to the body of this. But by taking it out we are not authorizing the contracting out of that. By taking it out, what we are saying is it has to be done by city employees.

Mr. Onorato:

Point and procedure, can we take them separately? I am sorry, only because it's going to get too confusing. My bill is strictly in financing.

Mr. Ferlo:

Financial and then maybe before we finally vote, we can address just the mechanics of what will or won't be done in-house or out-house.

In principle I am not necessarily opposed to raising the amount from five million to a higher figure. I have a problem with the process in casting my vote now to increase this resolution until I understand fully what is the agreed upon figure and where the four million dollars will necessarily come from? I don't have a full appreciation for each one of these items in terms of what will not be done that was other wise going to be done and maybe has already been designed or planned out.

I will pick an example, like on the traffic signal maintenance program. A number of colleagues we have some situations at street corners that are really badly in need of street traffic maintenance.

I don't know if on the presumption that we had originally budgeted it, the department is already off and running and acquiring that equipment. I don't know what will not be done as a result of that. We have a situation where we are under notification from the State Department of Environmental Protection on the issue of the condition of our fuel tanks around the city. Some of which are leaking. I don't know what reducing that item amount does in general services to what was intended to be done this program year.

I can go through each one of these. I am not necessarily saying we couldn't or shouldn't do that, but I feel that like the process is still a little bit -- I am still concerned about the process here today. So I am going to have to abstain because I want to understand that if we do change the line items and reorder priorities, I want to know what the impact of that will be on a practical level on things that will no longer be done. I don't know if many community based groups were on the presumption that they were more likely going to be given some consideration this year from the ACBO funding since the pot of money was increased. That's another program here that's going to be effected. So I have a hard time --

Mr. Onorato:

That's not on there. No community based --

Mr. Ferlo:

I thought it said CBO reducing by 400,000 --

Mr. Onorato:

I was referring to our big

amendment, never mind. The one we agreed to at the end of the year, that's not affected.

Mr. Ferlo:

Or even like radio systems equipment. I don't know where that's at. Either we are in or out of the EOC and the Lexington Building. You know my view on that, but in any event, I assume if we don't go there we are going to have to modernize and develop our own Cad system operation, I don't know if that's this pot of money.

Mr. Onorato:

That point of procedure, that will be debated tomorrow. Today's amendment is only to increase authorization.

Mr. Ferlo:

I understand, but it's hard for me to agree to do that absent--

Mr. Onorato:

It is not going to be easy.

Mr. Ferlo:

No, I understand. But I am just saying I would like to do that parallel to agreeing on what is going to be cut and why and what's the best way.

The Chair:

We could do it --

Mr. Ferlo:

It seems like we are presupposing and once.

The Chair:

We could do it either way. We could either actually recommit and do it all tomorrow or vote for the one and allow the money. But if the money-- maybe tomorrow you will agree on half the money then that would have to be amended, because it --

Mr. Onorato:

I originally wanted to hold the bills last week but we were I think hoodwinked saying that we won't pave anything unless we move them forward. I wanted to do them both tomorrow but this body decided to go forward at the recommendation of the Deputy Mayor. I wanted to do that. But however I said, if they move I am bringing these amendments on Tuesday and that is what I am doing.

The Chair:

I have been told there is plenty of money to last over a month, but that is up to the body.

Mr. Ricciardi:

Yes. Thank you, Mr. President. Let me say that I think its great and I commend the initiative by Councilman Dan Onorato to bring this forward increasing resurfacing here in the City of Pittsburgh I believe by \$4 million and I think to do it the right way as Councilman Dan Cohen stated last week. That is a proper milling of the roads with a proper two to 3-inch base with another inch cover. I am very pleased to see that the Chair of Public Works, Mr. Hertzberg, also agrees that we should increase to a

certain extent.

I understand where Mr. Ferlo is coming from regarding scarce resources. We can't run away from that, we do have scarce resources. We also have the obligation to prioritize the activities that we believe that are important to the city taxpayers. For years I have been saying regarding PeopleSoft and I voted against many expenditures for PeopleSoft. I have always stated at the Committee Sessions that those \$20 million that we spent on PeopleSoft that all departments aren't even utilizing should have been used to repave the city streets here in the City of Pittsburgh. I am looking forward to addressing Mr. Onorato's amendment.

Matter of fact, I have spoken to Mr. Onorato and I am going to make other amendments to his possible amendment if his goes first. I believe in highway paving and not highway technology. What I mean by that we have spent upwards to 20, \$30 million on computerizing PeopleSoft which so far has been a big bust. We're spending millions of dollars on increasing tax information systems here in the City of Pittsburgh, more efficiency in collecting taxes. I think we are doing a great job in collecting taxes. I wish we would stop beating up the taxpayer for such efficiency that we have brought forward.

Once again, let's do highway paving and not highway technology. Thank you.

Mr. Udin:

Before we all slide down the slippery slope of agreeing with the idea that we should increase the availability of funding for street repaving, I am one voice in opposition. I oppose increasing the

allocation for street repaving. I think it's irresponsible and premature. There are too many unanswered questions.

There are unanswered questions relative to how the determination is made between what kind of streets would receive a thin coat, what kind of streets will receive a thicker coat? It's still not clear to me even though we have removed the option of outsourcing the funding, it is still not clear to me that the Public Works Department does not have the option to continue to do some thinner layers of streets repaving on certain streets. It is not yet clear to me that although certain activities that the outside contractors have been removed from the bill by Mr. Hertzberg's amendment. It is still not clear to me that Public Works could not continue to subcontract work out for the thicker street repaving. That is not yet clear to me.

Why the streets are failing that have failed? How many of them are there and why they have failed is not clear to me? And it is -- I am not certain that the reason for the street failures has to do with either the weather or the thin application. So until all those questions are answered, I think that it is inappropriate to reward failing streets with more money.

In addition to that the specific items that have been selected for reduction in the capital budget in order to capture the \$4 million necessary for this reward of failing streets, defunds important capital priorities. There is a pot of money, a surplus in the city's finances that can be accessed that does not damage the capital plan for 1999. It would seem to me that that might be one source of funding. If we insist on rewarding failing streets anyway

with \$4 million additional dollars, it would seem that a more responsible place to take it since it is a one time capital hit might be from the fund balance rather than from reducing these important capital projects such as slope failure remediation, traffic signal programming, building maintenance program within the building here. We just kind of almost blindly went straight down the list of certain items and just reduced them 40 to 50% when we haven't touched the city's surplus.

So I think we need to really think through why and how we will apply this additional funding and whether or not it will go down the black hole as millions of dollar already have.

Mr. Diven:

Just following up on what Councilman Udin said, I think that's a fantastic idea talking about the fund balance. I also commend Councilman Onorato for bringing this forward and starting the debate on this. I think we need to have more of an attention paid to the infrastructure of our streets. The only concern that I have concerning this particular amendment is when the interest was to get more condemned buildings torn down, we allocated additional funding to that and one of the problems was they kept coming back to the table from that department and saying we can't spend it. You can allocate as much money as you want, that doesn't mean we're going to spend it.

If we are talking about making a policy change, we have to have a commitment from the administration that they're going to go out and actually put the bodies on to run the additional crews and

cover that work. They're going to have to give us a commitment they're going to be willing to spend the money that we appropriate. Otherwise we're not going to accomplish our goal by just putting the money out there and giving them the option of not spending it. I think we should be looking at some way to make sure that the administration is committed to making sure that the streets become a priority. And that if we're going to go through the hard task of debating where we want to prioritize our resources that we're in a position that once we get through that tough debate that will be that we unified from Council comes up has to be instituted by the department.

I think one of the concerns that I have with this amendment is it gives them too much of an easy out to come back in front of Council at a later date and say well there is no way we can do it. So that money is going to just sit there and reside in our fund balance.

Mr. Cohen:

I want to thank Councilman Onorato for putting this on the table. Because we often get lost in small issues and it is about time we start talking about some of the big issues and this is a big issue. Street paving is a core critical function of city government. I am convinced after what has happened in my district in the last month and from our discussion with the Director Kraszewski of Public Works last week, that street repaving is not being done on a quality basis and in an efficient basis in the City of Pittsburgh. I won't go through the streets in my district that are falling apart.

Now the question is how do we

solve it? I think one piece of the puzzle is additional money. I was convinced by Director Kraszewski that he does need more money to be able to do this right. At the same time I think it should be something of a negotiation. Look at, we will give you more money if you can demonstrate to us that you're going to provide a quality street paving process and you are going to do it in a more efficient manner. I think Director Kraszewski would even engage in that kind of dialogue with us. I think it has to, no pun intended, it has to be a two way street. We are going to give you the money and in return you give us the quality that the people of Pittsburgh certainly deserve.

As far as where the money is going to come from, I am open-minded. I think Councilman Onorato has put a reasonable plan on the table. I would like to look at each of these items in depth especially those that pertain to Public Works and Engineering and Construction so that we know exactly what will be lost, that we are not going to get something for nothing here. If we gain more street paving, we're going to lose something and we need to know up front what that's going to be.

My only reservation is in any discussion of the fund balance, we certainly talked about taking money from the fund balance before and I certainly am open to a discussion about it, but we need to maintain a high fund balance to maintain a high bond rating. If we need to bring some of the financial people in to talk to us about how low we can go then that's something we need to do.

But that having been said, I am certainly open-minded to increasing the amount of funds for street paving for '99

but at the same time we need something in return from Public Works and that is a quality process.

Mr. Ferlo:

Two-way streets would be great as long as it is not done with nova chip at least not in the cold spring or fall.

I really think we need to recommit this bill unfortunately because we're not going to make the kind of progress we want to make. Even if we have a split vote in technically raise this resolution and then agree later tomorrow what the items will be, if the administration doesn't really concur or agree with it is not going to be done any ways.

I would strongly suggest that we recommit the bill but tomorrow resolve the issue. I would like to suggest that we maybe recess this meeting today so we can actually vote in final forum tomorrow as we have done in the past when we have gotten into a jam and trying to expedite the bill. If we don't come to a consensus as Mr. Cohen spoke about with the administration, and Mr. Diven made this point, it doesn't matter what we budget because in the end they're driving the asphalt truck so to speak. If we don't come to an agreement, I have a real problem with cutting some of these other items. I think Mr. Onorato's point is well taken that he has pushed this whole issue ahead and I appreciate that. I am not opposed necessarily of spending more money, but I also like Mr. Udin's idea of maybe going into the fund balance.

But in any event, I think it would be wrong for us to go decide this issue today. What if we agreed to do this and the administration veto's the bill. We will

have wasted another couple of weeks. Why not recommit the bill, come up to some consensus bill, maybe the President can appoint a committee of Mr. Onorato and our Chair Of Public works and Councilman Udin our Finance Chair to meet with the administration prior to the ten o'clock meeting tomorrow. And see if we can come up with a higher figure in whatever combination, bond funds. We already cut into the bond fund, I mean we already cut into the fund balance because we're not clear we are getting the courts money and that's four million right there.

So we are already off and running and that is why we really should untable the detransfer of money so we at least have a half million dollars in our kick. And hopefully it will come back at some point. But I would like to suggest as a procedure that we not vote on these amendments, although I sympathize with and agree with what Mr. Onorato is doing, I just have a problem about where we take the money. I would like to suggest that as a procedure.

The Chair:

Final word on it.

Mr. Onorato:

If it gets recommitted that is fine, but I want to point out a few things. First of all, I will be totally opposed and I will fight any movement on the fund balance for two reasons. I don't think it is financially sound to do that. And two, I think it is a cop out we don't want to do our job.

I want to point out some numbers and make it very clear here. We have \$55 million dollars allocated in the 1999

capital budget, \$30 million of bond, \$22 million of CDBG. The administration and this Council we only allocated \$4.9 million for streets. That's less than 10% of the \$55 million. So the listening public understands, the reason we have a failed street policy is because Council and the Mayor have failed. We have failed to fund the street paving.

We heard over and over again the last three years that the minimum amount we need to do real paving, that is when you grade and go down to the base and do it, is at least \$12 million a year. We're putting \$5 million, the reason you have nova chip and the crack seal and all that cheap stuff is because they are trying to show on paper how many streets they have repaved without actually repaving it. They are just putting a black coating on top that doesn't work.

If we're going to be serious about improving the infrastructure of this city, we have to put more than 10% of the borrowed money into streets. Where the heck is the other 92% of the money going? Does anyone even care? And while I am willing to put my suggestion to the public and to the media and to the residents it's very easy for my colleagues, or for anyone out there to pick and chose a few line items and attack it.

I will repeat my offer, I will take any friendly amendment on any particular issue to keep the \$4 million. However, I will not budge one penny on the \$4 million total. I will call a vote and we will get a vote tomorrow one way or the other even if I loose. I want the residents of this city to know that at least Councilman Dan Onorato voted yes for transferring \$4 million of capital, knowing darn well

that I was decreasing \$4 million from other so-called good projects. They're all good projects, but the bottom line was we have been subsidizing every other project at the expense of street paving for too long. It is time to get this number up. Nine million after my amendment is still 3 million short of what the director is telling us we need as a minimal amount of money to do a good street paving per year.

So a fill street policy, you bet, but I can tell you what, if your house falls apart because you never repaired it and you say well what a sloppy repair policy, you can't repair anything if you don't put the money up front. Less than 10% of our capital budget goes to street paving, less than 10%. Get it up to \$9 million you will still be well below 20% of the capital, that means over 82% of the capital dollars are still going somewhere else. This is not an outrageous amendment, this is very reasonable, we're only asking for approximately 18% of the capital budget to go to street paving.

I don't know how anyone of us cannot support that and then we could get rid of nova chipping and micro sealing because now we are putting money in there to do it right. Go down to the base, I want real street paving done and I am willing to take the hit and stand up to my constituents and say yes, I took \$4 million out of that line item. I know it's not easy. No one said it would be easy. But sooner or later, we have to vote and this red hearing about what if the Mayor doesn't spend it, we deal with that every year. Since when did we ever stop about allocating money because we were afraid the Mayor might not spend it? We can shut this city down tomorrow which we practically did because our streets fell

apart and no one could go anywhere, but we could shut the city down tomorrow with allocation of any amount of money.

If we allocate \$9 million and the Mayor refuses to spend it, we all know what happens. That money sits there in limbo until we decide to reprogram it. It doesn't go anywhere. If that's the kind of stalemate we need, I am willing to do that. This is about public policy, public policy of where you put your dollars. I am not going to be a part of any sub committee to divert this. If we want to recommit for tomorrow and then recess this meeting, I can support that because we're calling the vote tomorrow. But sooner or later we have to up or down. If I lose, fine. But at least call the policy question. That is all I am asking.

The Chair:

Final word.

Mr. Ferlo:

Can I clarify something? The issue is not arguing about the amount so much as just agreeing and trying to build a consensus on what it is that we are going to reprioritize. That was my only point. It would be nice to know what the direct impact is of what Mr. Onorato is proposing and whether or not there might some other appropriate items to look at.

I think we should engage with the administration on that discussion. If it is clear the overall majority want to increase the pot of money for street paving, which I will vote for, I am only asking that we at least make some common sense of what it is that we are cutting or reprioritizing.

Mr. Onorato:

I have no problem doing that, Mr. President. But I do want to point out, I handed this list out seven days ago. I am still going to ask again tomorrow. It wasn't like it was a surprise attack. I gave this as a good faith effort last week to show everybody and I am still willing to take friendly amendments tomorrow. I do want to point out one other thing. Let's take a reasonable approach to what the effect is of the defunding. I think we know what the effect of the defunding asphalt, we know what that is, we see it every day coming to work.

Mr. Hertzberg:

Thank you. Part of the problem here is he kind of went backwards on these amendments. The one that should have come first I still have not introduced and a lot of questions are being asked and they would have been answered. So I will kind of go out of order and discuss what these amendments will be without formally introducing them since different amendments are on the floor.

But part of the amendments that I will introduce call for the reinsertion of the term hot mix asphalt, back into this resolution. For two reasons, number one that deals with our actual acquisition for the asphalt plant of what is called hot mix asphalt. Which is primarily what they make at the asphalt plant. So we need it back in there for that reason. But also what I am proposing here is that instead of what I said before not contracting out any of this, I am proposing that one third of the hot mix asphalt be contracted out.

I have had a discussion with the Department of Public Works. It is as a

result of that discussion and some of the comments made and some of the concerns that were raised that we wouldn't be able to do this much asphalt work totally in-house that I am proposing these amendments. These amendments assume that the amount goes up to \$9 million as proposed by Councilman Onorato. Our Public Works Department believes we can do that, that one third contracting out will allow them the flexibility to be able to make this happen, to be able to do what we are asking them to do.

So I have had a discussion with the department about this. They fully intend to follow our directives or at least they are telling me that.

Mr. Udin:

Question for Mr. Hertzberg or perhaps Mr. Onorato who ever knows. There were representations made last week that the contractor failed to do street sweepings prior to certain asphalt work and that lead to some of the street failures. I would like to know what the status of the resolution is that the Controller intends to make. Right now the Controller is holding two payments of the contractor. I would be interested in knowing what the Controller intends to do?

Secondly, the same contractor in those streets that failed indicated that they were willing to repair the streets. Now the decision to put the thin microchip or the flex base asphalt on some of the major streets Council has expressed the desire that that process not be used on major streets. Now how will we get the compensation from the contractor when the contractor would have -- I guess the contractor would have put another thin

micro surface layer on the failed streets. It was not clear to me how the contractor was actually going to repair?

Was the contractor's commitment to repair the streets, did it mean that they would go down to the base and put in the full asphalt repaving or would they just do over it again the thin layer? And if that can be calculated as to a certain value if we decided to do a full reconstruction and a full repaving of the street will the contract be reduced by the amount of the value of the repair work that now would not be done? I hope I am being clear.

Mr. Hertzberg:

I think I understand your question. I know for one thing the Controller is still going to hold the funds until the repair work is done. I don't --

Mr. Udin:

What does he mean by repair work?

Mr. Hertzberg:

That's what they were contracted to do. I don't think it's fair to anyone that contracts to provide a service that costs \$5,000 for them to provide now to be asked to provide a service that costs \$25,000. They didn't agree to do that unless we are going to agree to pay them to do a service that is more difficult and more expensive to do. I don't know the answer to that question as to whether they would be asked to provide a different kind of surface in that repair work or not, but I know they are not going to be paid until they do something.

Mr. Udin:

I hope the Controller and the engineer will be available for this discussion tomorrow so we can get some clarity.

The Chair:

I believe if I may, Mr. Hertzberg, there is certainly a lot of questions and we spent over an hour last Wednesday on this. I have gotten dozens of phone calls from employees mainly telling us this is right, this is wrong, what's going on. I have also heard from across the hall that the Mayor's Office is I think semi starting to agree with us maybe they made a mistake, why didn't they do it right the first time? It's easy again to second-guess what Mr. Udin is bringing up. Do we get full credit? If we are asking the person to do a halfway job then that's all we're getting. As Walnut Street or whatever else was not appropriate. I think we all agree with Mr. Onorato's bills.

Mr. Udin:

No we don't.

The Chair:

At least finding more money, I don't want to put words in --

Mr. Udin:

No we don't.

The Chair:

I think it will pass, put it that way.

Mr. Onorato:

I am not sure.

The Chair:

Is that a better way to put it? I think it will pass but I believe to just make everyone feel more positive, where the money is coming from or maybe only half of it will be allocated. Do you, and I don't want to hold it up because I was afraid what the Deputy Mayor said last week was, if you don't do this then we are going to blame Council for the potholes. I don't see a problem one more day if you want to recommit it and I will recess this meeting --

Mr. Hertzberg:

The only problem is Ms. McDonald, you have to excuse her during the discussion. She can't --

Ms. McDonald:

I am not going to stay for two hours worth of asphalt discussion. Look you guys want to be the Public Works. You all love talking about this asphalt stuff. I have no problem, I have no problem. I will stay as long as it seems reasonable. You start talking nova chip and no one understands what you're talking let's face it but it sounds good.

The Chair:

You're the chemist; we need you here to explain what it means.

Ms. McDonald:

I will stay.

Mr. Ferlo:

I don't understand what is wrong procedurally, recommitting and voting tomorrow. But if we send a delegation over and let them know we want to increase the pot, and can we come up with a consensus on where it should be cut. What is wrong with that?

Mr. Onorato:

As long as we vote tomorrow I have no problem.

The Chair:

I just said that. And also Mr. Hertzberg, I think there has been a few things you have done last night, this morning to make this a much better bill when they want to double the in-house paving and still be able to do one third outsourcing. So I believe the whole bill is much better. But I think we deserve, all of us, a better explanation.

I would also ask Mr. Tortorete to be here. I know whether it is politically right or not he's the asphalt person who could explain it right or wrong what we're getting. Does that sound reasonable to recommit for one day and we will have final vote tomorrow?

Mr. Onorato:

I have no problem. As a procedural move as the maker of the amendment, I will withdraw my amendment with the condition that we recommit these bills to present the amendments tomorrow.

MR. HERTZBERG seconded the motion.

Mr. Hertzberg:

Also, if everyone will guarantee me no further discussion, I will not offer my amendments until tomorrow either.

The Chair:

All in favor?

Which motion prevailed.

Mr. Ferlo:

Administration has to come to the table tomorrow and resolve this issue.

The Chair:

I think we need, again I don't want to put Mr. Tortorete on the spot, but he's the asphalt expert and I think he has to be here along with Ms. McDonald to explain astro clip--

Mr. Ferlo:

I am talking about robbing Peter to pay Paul.

The Chair:

That's a very good point, where are we getting the money from? Who agrees and disagrees with Mr. Onorato? I think Mr. Onorato to his credit at least has a blueprint here. Let's evaluate tomorrow and come up with the money. I am tired of my streets. They're not too good. You want to ride around I will show you. This was a mild winter outside of two weeks. I don't think we can blame it on the winter. Off of this, we are onto the other bill.

Mr. Ricciardi:

Thank you, Mr. President. There is one other bill, colleagues, in the Department of Public Works, which I was pleased to sponsor. It is just one sentence if I could read it. The owner, leasee, and/or user whether an individual or corporation partnership or association who leases, rents or owns garbage receptacles/dumpsters must keep dumpster lids closed at all times.

Colleagues, I am sure you are all experiencing this. I am especially experiencing it in the neighborhoods of Oakland, the Southside, Arlington, and Knoxville where individuals are not taking responsibility of their dumpsters. Those lids should be closed at all times for a number of reasons not just the safety issue, but esthetically also they should be closed.

The one concern that was brought up was a legitimate concern and that was well if they're over filling what does the owner need to do? The owner needs to contract out to have one more haul. If they're only taking their garbage away once a week and their garbage dumpsters are over filling, they need to contract out to have it removed one other day. It is as simple as that.

I will also ask if this bill passes, if our City Clerk can work with our Cable Bureau and make sure that the constituents have the two telephone numbers who to report this to, if the lids are not closed? There is a very stiff penalty and I think it's \$1,000 per day. It just looks terrible and it's an issue that needs to be addressed. Thank you for your support.

The Chair:

I think it is very important. I know it came up in discussion last week in Oakland especially in downtown Oakland some of the business districts there are simple answers, either have your employees break up boxes, buy a compactor, buy another dumpster, or get another pick up. So there are easy solutions to it. It is a management problem and those businesses have to take care to be proper neighbors.

Mr. Ferlo:

We can pass this bill, like five other bills we passed and I am going to vote for it, but it is an enforcement issue. The container that was shown in the picture at the Public Hearing in relation to the bid is not a legal container that is supposed to be on the public right of way. Where is the inspector, where is the inspector that is supposedly working in Oakland? How many citations have been issued? I mean this is -- we can write all the laws we want, it's an enforcement issue.

Right now the city code says that Lamar Barnes can go out and site folks for having inappropriate receptacles or ones that are over filled or ones are open or ones that aren't emptied. He can order the property owner to pick up the dumpster and have the dumpster picked up more regularly than once a week or once a month. So we can pass all the laws we want, it is not going to mean anything.

The Chair:

We can only appropriate the money. Again, there is never a problem

writing traffic tickets, or parking tickets, but there seems to be a problem with these types of tickets.

Mr. Ferlo:

We should let Council members write citations, extend our prerogatives and we will start seeing some enforcement.

The Chair:

Any other discussion?

Bills are now ready for final action. All in favor of the passage of the bills vote aye; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine NOES None

Bills have received the legally required number of votes and have passed finally.

MR. ONORATO PRESENTED:

Bill No. 1364:

Report of the Committee on Planning, Zoning and Land Use for February 24,

1999, transmitting two resolutions to Council.

Which was read, received, and filed.
Also, with an affirmative recommendation.

Bill No. 1208:

Resolution providing for the creation of an Oakland Business Improvement District. (SPONSORED BY MR. RICCIARDI, MR. UDIN AND MR. COHEN). (HEARING HELD FEBRUARY 17, 1999).

Which was read.

Also,

No. 1234:

Resolution providing for an Agreement or Agreements with Agencies that operate Emergency Shelters for the homeless in the City of Pittsburgh, so as to provide for the payment of rehabilitation, maintenance, operation, insurance, utilities, furnishings, homeless prevention, and essential services of said Agencies, at a total cost not to exceed \$756,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Cohen:

I just wanted to again congratulate and thank the leadership in Oakland for putting together this Business Improvement District. I have great hopes for it. I think it really will help to clean up

particularly the commercial corridor in Oakland as well as have the business and higher education institutions there. Of course the University of Pittsburgh, Carnegie Mellon University Carlow, etc work together in a really unified way.

So I know that a lot of work has gone into this. I want to thank the people who put this together, Oakland Planning and Development, certainly the University of Pittsburgh and the other Chairs of this group. I hope that upon passing this it won't be out of our hands completely. I do think we should have an opportunity to review the Oakland Business Improvement District, perhaps in a year from now and see how its going. So maybe we can talk about either having a Post Agenda or some means of reviewing its progress.

But right now I think it's something that will be very positive for Oakland and look forward to seeing it go into effect.

Mr. Udin:

Yes, I want to associate myself with the comments of Councilman Cohen and also have my comments brought forward from last Wednesday's Standing Committee meeting, discussion on bill 1208.

(See Addendum for Mr. Udin's comments on Bill 1208)

Mr. Ricciardi:

I also would like to commend the institutions, the community groups, the residents, and all the business and property owners who brought this forward and allowing Mr. Udin and Mr. Cohen and myself to sponsor this legislation.

As Mr. Cohen eloquently stated, I think it's going to be just a big success and a plus for the Oakland neighborhood allowing additional resources in terms of dollars to improve those blocks. But also let me state that even with this in place we have to be very diligent to make sure that the city, especially the department of Public Works and BBI continue to carry out city services. There has to be a strong foundation of city services. This needs to be just on top of that.

So we have to police that I believe very carefully especially when you look at this particular bid. That is this particular, the boundaries because out of I believe we collect in the City of Pittsburgh \$110, 115 million in property taxes, this particular district itself contributes up to 2, \$3 million. So we're getting our fair share of taxes from this district and I really questioned in the past if they have received their fair share of services. So with the additional dollars that business owners are willing to pay especially with the commitment from the University of Pittsburgh, I believe that with the strong foundation of city services that we can begin to see an improvement in terms of esthetically, beautifying, in terms of less graffiti, in terms of less litter on the streets.

Mr. O'Connor, as I commended you and complemented you during this Public Hearing you really touched upon some of the concerns from the business community. I think you had first hand experience not just as a businessperson but as a businessperson who had a commitment and business there in the community itself. So I agree with everything you stated.

With that said, I would hope that we work with the Department of Public Works to make sure that our city services continue to be delivered. Because I am very fearful that if they're cut back all we have done is people have paid additional taxes to see no marked improvements in their neighborhood. Thank you.

Mr. Ferlo:

Given the University of Pittsburgh frontal attack on the citizens of the City of Pittsburgh and this Council and the laws of the Human Relations Commission, I don't know that I would refer to them as an institution of higher education. But setting that issue aside, I am pleased that after having helped create a student ghetto in the Oakland community, that they are finally anteing up and agreeing to participate in the business improvement district. So I guess I will throw them that complement off handed or otherwise.

I am concerned though about the appropriation, I am still concerned that not enough of the money that is being generated by the creation of the business improvement district is going specifically for a concentrated clean up initiative. I believe it is a significant amount of money. I don't have the figure in front of me, \$190,000. But relative to what is being raised and relative to the critical needs of making a concerted effort a splash, an impact, making people that are going to be paying the increased assessment feel that it is productive, I am concerned that there be a consideration by that board that more up front be spent on the clean up initiative. I am extremely concerned that the clean up be done in coordination with the Mayor's Office and the Public Works department.

It doesn't make any sense to me not to clean up the major graffiti, vandalism that has occurred for instance on the Bates Street corridor leading into the Oakland business district. It would seem to me if we were going to do it, we should do it right. I would hope that by whatever means necessary, Deputy Mayor Sirabella or Deputy Mayor Cox, or Public Works Director somehow they need to hit the ground running with the leadership of the Oakland Planning Development group and the business leadership to make sure that this is going to be done and in a right way and a coordinate way and something that people are going to visibly see that is going to have an impact. I am still concerned that that is not necessarily going to be the case.

And secondly, when we funded the first bid, both the East Ohio Street we had committed a significant amount of capital dollars. Which I don't think we are doing this time. I believe there is a \$50,000 pot of money that we're anteing up. When we did the downtown business improvement district for three years in a row we allocated a hundred thousand dollars of city resources. I feel that we're somewhat short changing and not making a full commitment which I am not sure if we can resolve now but maybe come budget time I think we need to make either through the CDBG or through the capital budget or whatever.

I think we need to ante up and show more city support given the bid initiative that we are now voting on today. I don't think we are being fair for the other bids that we already agreed to in the past. I just would ask that there be a clearer stipulated commitment from the city as to

what we are doing is to be part of the solution here and not continued to be part of the problem. Whether it is enforcement or whether it is the graffiti or lot clean up in and around the business improvement perimeters.

Whatever it be, I would ask that it be spelled out more clearly and communicated to the bid board. All of the business improvement district boards must prepare an annual budget and come to Council as part of our annual Council budget deliberations. So, in addition to Downtown Partnership this year, I would hope that we would also see the Oakland representatives here in Council Chamber.

I would still reiterate my concern that the board be expanded to include residents from Terrace Village and from the South Oakland community. The board is too heavily dominated by institutional representatives. I think there are other stakeholders in the Oakland community and young people that don't have a formal constituency in terms of representing the group. But somehow I would ask that they be included on this new board or important committees of the board or what have you. I am voting in favor notwithstanding the arrogance of the University of Pittsburgh.

The Chair:

I believe they have committed to putting more people on the board such as you suggested last week. I also agree with what you said. I think this is the start. Hopefully it really does something to the business corridor that gets 90% of the traffic, but we certainly want to worry about Bates Street and all the surrounding areas.

I believe Oakland will be a hot bed for the next couple of months, maybe next year with the idea maybe the Pitt stadium is no longer going to be there. I am sure that will be a hot topic of discussion.

I also agree with Mr. Cohen, I believe there are three Council members that share Oakland and I probably border it the closest. I know Mr. Ferlo we all spend a lot of time there. So I would suggest by Labor Day or right after Labor Day we have a review of how it is going. I think the main concern is the great partnership with the Oakland Business District, the University of Pittsburgh. But I believe as Mr. Ricciardi said we have to make sure the city upholds its part of the bargain. We don't cut back and if the bid is doing so well and the university is working well, maybe we, not only maybe, we should pay more attention to the neighborhoods there.

Don't forget there are a lot of families that have lived there for 50, 70, 80, 100 years and they are still there. They are raising their families there and they are the hard core of Oakland and they are the backbone of that community. But I think with Chancellor Nordenburg has really made a difference in what has happened the last three years at Pitt. I think Oakland is the key to possibly our whole city. It is not only the education, health center and culture center, it is also one of the biggest job centers. And the biggest traffic, it is the third biggest traffic center, you have Philadelphia Pittsburgh and Oakland. Between jobs and traffic so there is certainly are a lot of issues.

I talked to Director Hirsh to address one of your issues, Mr. Ferlo, about and we have had grand plans for the last two, three years when you pick up the

Post Gazette or the Trib every six months or something is going to happen in Oakland but yet it hasn't happened. Hopefully all of this will come together. This may be the starting point to get us past second base.

Again, I want to thank all the Oakland business people, the universities, the hospitals. Again looking at Oakland, what is going on with that residential neighborhoods, the new housing for the Pitt students and Carlow College at the other end and all the things that are starting to happen, I can really feel the excitement going on there. If the neighborhood pitches in and continues doing what they are doing and the ones who haven't we really work with them to upgrade them, again I will say it for the umpteenth time I think Oakland can be another Georgetown.

Oakland has gone down hill, Squirrel Hill, Shadyside, Friendship has benefited by that, graduate students are moving into my neighborhood. I am certainly glad to see them. But I don't believe and I don't like the cost because Oakland isn't an attractive place to live for graduate students and people who work in those hospitals. So, if you go to Southside, Lawrenceville the people who work in the hospitals walk to work. I don't believe that is so in Oakland. So, I think this is a start of possibly bringing people back to Oakland. It has a rich history and we all have to salute the hard work of the bid and believe this is the start of a lot of good things to happen. With that, I will call the --

The bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called;

all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were.

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine NOES None

Bills have received the legally required number of votes and have passed finally.

MS. MCDONALD PRESENTED:

Bill No. 1365:

Report of the Committee on Housing, Economic Development and Promotion for February 24, 1999 transmitting two resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1115:

Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh, the County of Allegheny and the Pittsburgh City School District providing for the financing, monitoring, implementing and terminating of the East Liberty - Home Depot, USA Tax

Incremental Financing District. (Council District No. 9)
Which was read.

Also,

Bill No. 1116:

Resolution adopting a Tax Increment Financing Plan presented by the Urban Redevelopment Authority of Pittsburgh creating the East Liberty - Home Depot, USA Tax Increment Financing District, and making certain findings. (Council District No. 9)

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills? Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES	Nine	NOES	None
-------------	-------------	-------------	-------------

Bills have received the legally required number of votes and have passed

finally.

MR. RICCIARDI PRESENTED:

Bill No. 1366:

Report of the Committee on Parks, Recreation and Youth Policy for February 24, 1999, transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1236:

Resolution establishing a schedule of fees for the Department of Parks and Recreation Swimming Pool Program, effective January 1, 1999 for the calendar year 1999.

Which was read.

MR. UDIN moved to table the bill.

MR. FERLO seconded the motion.

Mr. Onorato:

Roll call vote, please.

Mr. Ricciardi:

Point of procedure I want to make sure that the motion was on the correct bill and not the bill regarding the shooting and violence in the Hill Top communities, the two bills were read, right? I just want to make sure that both aren't mixed up.

Mr. Onorato:

There is only one bill.

Mr. Ricciardi:

No there are two.

Mr. Udin:

He read one.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Diven	Mr. Ferlo
Mr. Udin	Mr. O'Connor
	(Pres't)

NOES:

Mr. Cohen	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	

AYES Four NOES Five

Due to the lack of majority of votes by Council, the table was defeated.

The Chair:

Discussion on the bills.

Mr. Diven:

Mr. President, I would like to introduce an amendment to Bill 1236.

MR. FERLO seconded the motion.

Mr. Diven:

I have circulated among the colleagues here. What it does is it exempts children 14 and under from paying pool fees.

One of the arguments I know that we're facing an up hill battle with this argument and we might have lost our opportunity on this issue but I am not willing to concede on it. I think in all the discussion that we talked about, I have been strong about advocating no pool fees for anyone but as a compromise I would like to offer this amendment to exempt children 14 and under.

I think the reason why I do this what I have got in front of you I think we have been debating in a vacuum on this one particular issue. But I think if you look at the bigger picture what is going to happen during the summer months and it has happened in past summer months, is that we need to provide opportunities for kids. There is nothing better during the summer months when they are out of school then providing them access to pools. We invested a substantial amount of money, in all of our communities for athletic programs, academic programs, and opportunities for kids. This should be a further extension of that by giving them some place to go, that is going to be constructive and that is going to give them an opportunity to use their time in a positive manner.

I think that the other side of the coin, if we don't support giving free access to the pools for the children 14 and under we are going to spend the money some where else. We're not going to spend it on giving them free access to have opportunities to do things positive. We are going to spend money on things like the curfew center or the truancy center or the juvenile court system because if the kids aren't in the pools doing something that is constructive, they're left with no

opportunities. They're left with standing on the street corner or getting in with the wrong crowd and possibly using drugs or getting involved in any kind of vandalism or graffiti. These are things that although we can't put an actual tangible number on them, they do happen. One of the reasons why they happen is because our youth do not have the opportunities to use their time in a positive constructive manner.

So that is why I am introducing this amendment to the legislation to hopefully provide one more avenue. That if a kid is looking for something to do, he doesn't have to worry whether or not his family has paid \$20 or \$40 or whatever the price is so that he can have access and the opportunity to conduct his summer months in something positive and something constructive.

Mr. Hertzberg:

Thank you, Mr. President. I don't understand this amendment. It is not substantially different from anything we haven't discussed, haven't debated, haven't vote on, I don't know how many we changed it by one year. I don't know. I don't know what has changed. We have been bouncing this thing around for weeks now. Nothing has changed out there. Nothing at all, there is nothing new that's happened to keep doing this and going over and over this.

I think unfortunately I guess I will just repeat the same things I have been saying at least twice a week because it comes up every Tuesday and Wednesday, but I guess there is no choice here because things just keep coming up over and again. Again our Acting Director of the Department of Parks and Recreation,

Duane Ashley, knew as the Acting Director, one whom I think all of us respect for his experience and for his abilities has asked Councilman not to do this. He's asked us as a manager not to do this. He does not think this is going to help him manage the operation of the swimming pools. He has asked us to give him a chance with the swimming pools. Let him get a handle on things and try to make some improvements.

He acknowledges there are problems there. This kind of amendment is not going to help him. It is going to hurt him. It's going to give him one more thing to have to grapple with in trying to make some improvements to our pools. Also, if you look around whether you are looking at more affluent communities or some of the poorest communities in the region, you're going to find they all have some pool fees of some level. And these are the lowest of any in the region that are being proposed here today.

Again, I will repeat, the theory that we're trying to promote here of city services that are non-essential services being user based. That is more of the cost be passed on to the user. Right now, the cost of operating our pools even with these fees are not in any way born completely by the user. They're only born partly by the users. But to the degree that we get rid of the fees, we are just charging more for the operation of the pools to all taxpayers whether they use the pools or not, that's the result of getting rid of pool fees.

And finally, I won't elaborate on our budget, we talk about it our scarcity of revenues, the difficulty we have had cutting, this will certainly cut in although it won't cut but every cut is a severe one

when we are struggling like we are.

Ms. McDonald:

I want to commend Councilman Ricciardi last week for at least putting things into perspective. As Councilman Hertzberg has said this is user based. This is a fee assessed to any user of the pool. So why do we keep arguing? I am just curious the people who really, really just want free pools do they even use the city pools? Have you been to the city pools lately? And maybe you need to go the city pools to see what it is like.

Just a management issue. These are kids in the summer time nothing to do. These are kids wanting to have fun. Therefore, you are going to need more security, more eyes watching those kids to make sure that nothing happens and everything is safe. That takes money. It takes money.

Now if you want to get rid of the pool fees, maybe you all should manage the pools. Maybe go on out there and do the lifeguard bit and I bet you any money, you will double those fees, you will slap so many fees on like it's a management problem. So again I don't like pool fees either. I will go with the spirit of things no one wants to see fees. No one wants to see taxes either, but that's a reality of life, death and taxes. Well in this case, it is fees too.

So again, I really wish we would quit the weekly thing, it has become now silly. It's become a really silly thing and humorous. I don't want Council to turn back into that. Can we just move on with this year? We have adequate time throughout the year to debate the pool fee.

But let's get through this year. It is no increase in charges, none. It maintains the same level and I am not willing to -- I think that we need to quit bantering this about week after week after week. I think there are more important issues to deliberate on and we need to move on.

Mr. Udin:

Mr. President, I think it is truly amazing that the people who want to impose pool fees are the people who are tired of discussing this bill. When it is they who brought the bill back up. This bill was defeated in December and it was brought back up by the people who wanted to re-impose pool fees and now they are getting tired of discussing it. Well, you should have thought of that before you brought it back up. I think it's illegal to have brought this bill forward. I asked for an opinion of Council as to whether or not a bill over turning a decision of Council can be brought back in the same term of Council. We have not received that opinion.

So if this bill passes I hope that the President will still insist on an interpretation from the Solicitor as to how she reads the Charter and the rules of Council and the legality of bringing back up a bill that was already decided in Council.

Mr. Ferlo:

The administration has a completely counter productive and backward view about the swimming pools. The issue to me is not just the issue of fees, which I am obviously opposed to and have been since their reintroduction six or seven years ago. And in fact the only

reason why we ever got fees in the first place was a specific objective on part of a previous Budget Director and a previous Mayor to create what I would characterize as forced obsolescence.

They consciously introduced fees hoping that two things would happen, that there would be division among people and families based upon income lines. Because if you are lower income enough and you have the wherewithal to show up, with an AFDC card or some other means test document, you will get some kind of a waiver or reduction. So they wanted to create dissention and confusion and disharmony on that level. They also were hoping that basically as a result of the introduction of fees, and because just the way that the kids used to swim in the past that you would see a marked reduction in the participation during the two months or so of the summer in the actual volume of numbers of young people at the pools.

Both actually happened, that is basically what the status is right now. For a lousy \$200,000 it costs 60 or 70,000 for the administration to expend operating dollars to collect what in the end might be on a good year, \$200,000. But the fee issue to me is not the most important issue. We are at the point where at some point in the future we have to make decisions about what our future capital investment and programmatic investment will be not only in the pools but also the various rec centers. Instead of shoving everything down people's throat in this city, which is the usual style of most administrations, why can't we be a little bit progressive and proactive? Have a collaboration with the residents, the users of the park system, the community groups that spent countless hours of volunteer time and are holding up the backbone of

the Parks Department in addition to a beleaguered staff who has not always gotten credit or recognition by Mayors and Councils when it comes to budgetary items. Because Parks and Public Works continually get cut at the expense of the Public Safety prioritization of the budget.

So, again I am opposed to the fees now because what is going to happen is the administration is supposedly now saying okay we are going to issue a request for proposal. We are going to talk about developing pools as aquatic centers and all these lofty progressive things, which are great, to me that is one reason why we shouldn't re-institute pool fees this year. Because in order to sit down and develop this collaboration with the community, we should use this summer as a way to say to the community use them or lose them. We should go out and relieve the fees this year, get rid of the fees now and see actually what is the volume of participation.

If the participation without the fees this year is such that it would suggest any reasonable person that maybe a particular pool should not be considered for continued operation or reinvestment of capital dollars, then at least we have a better way to say to the community, look this has been the reality, it is not liked, it is not you know -- kids are not participating. We are going into the next millenium and we have to think out can we still maintain 31 plus pools. It maybe that many in the community will say okay well if the worse happens and you close my neighborhood small pool, maybe we can have a little bit of recommitted money by opening up the community after school program in one of our neighborhood school facilities.

You know there are a lot of

neighborhoods that don't have the benefit of a pool, but may have three public school facilities in the neighborhood. Maybe there is a little bit of a trading that can go on. Maybe we should just work with the community, work with the kids. The pools should be magnets for attracting young people during that two-month period. So we can work with young people in the park centers and do something progressive in terms of their education, not just swimming for the sake of swimming, but we have computer labs we are setting up at these parks facilities. We have other activities, we have a lot of great park staff that have delineated and developed programmatic activities for recreation for education.

I mean we have a whole back you know what words view when it comes to pools and this ridiculous discussion that we are having about the fees. So, I am opposed to the fees, I will vote for this amendment because it is better than nothing. But if we are going to really sit down and issue this RFP, develop a collaboration with the community and all the volunteers, we couldn't even put a dollar figure on all the volunteer support that we have out there at the neighborhood level. The parents and the young people who pitch in for baseball little league, soccer, you name it. The volunteers that work at the rec centers. I mean the whole thing is just completely a backward philosophy of this administration.

So, I am very much still opposed to the fees. I would commit to voting for fees next year or in the future. This is to Mr. Ricciardi if as a result of this collaboration and we have a sincere group of community minded folks who have care about their community centers and their

pools. And if after this collaborative process next year, they say well we would like to have fees or we want to have a photo ID system so that kids can be registered not only for pools but for other kinds of activities at the rec centers, then I will be the first one next year to institute a fee schedule. But let it come as a result of a progressive and proactive involvement of the parents and the community folks who want to take some sense of ownership of these pools and rec centers. Don't shove it down their throat in this way, it is the wrong thing to do.

The Chair:

Actually I never cease to be amazed the wisdom of Mr. Ferlo because I have to admit when I first came on Council the trend was to close some parks because they weren't being used. The pools weren't being used and if we didn't put a fee in we might have to close them and I fell for it to be honest with you.

Also, I fell for well maybe we will have to close a few parks. Well they closed one in Hazelwood on a weekend night and I still regret, and I couldn't stop it. I remember the director telling me I said let's fix Davis Park and he said well no one ever uses Davis Park. It is right up the street from me. Well, we went up and he showed it, it was in terrible condition. It wasn't used. But when we did fix it a couple of years later, it is probably the busiest park in the city. The same thing can be said about all of our parks that we have fixed up.

So, I agree I think if we fixed the pools, make them attractive the main answer may be to bring the community groups such as you are talking about in

Lawrenceville, the pools will get busy. And well gee we don't have a problem we may have to hire more lifeguards that would be a great problem.

To answer some of your questions, I use the pools quite a bit. I take my nieces and my grandchildren now to the pools. You know when you take a one or two year old to a pool you usually have to have a bottle, pretzels, and snacks. Well guess what you aren't allowed to take snacks in our pools. So, I hide them under my towel and we walk through. If you don't have your badge on and the lady I see her once in a while who makes me sew it on even though one time I had a new bathing suit, I didn't have it, she actually made me sew it on. So they are doing good, they are stopping us.

So imagine a poor kid and that's a Councilman, imagine a poor kid who doesn't have his ID or doesn't have his badge, or his mother didn't fill out the paperwork, how is he or she ever going to use the pools? Looking at it, it is ironic the three pools in my district, Schenley Park, I think is the busiest in the city, Greenfield is one of the top five or ten busiest, Hazelwood is the lowest. It is not used. So for my three income levels, Hazelwood is the only CD eligible neighborhood and that pool isn't being used. Yet, there are ball fields, there are housing community right next to it. There is something wrong if the kids aren't using it. Whether their parents can't fill out the forms or unable to, don't want to, or don't want to use that stigmatism, well I am on assistance so I don't want to use it.

So, I have changed my mind, I think it has to be challenged, and we have to help support our Park Directors too. I

think one of the problems is we have cut so far back in the last five years on Parks, no wonder why they throw up their hands and say I can't manage it. I have been talking to Pepsi, I have talked to the county, they are going to show me what they are doing; they are raising almost \$40,000 in pools. There is money out there for pools if we have people to do it.

Our fees for children is only five bucks. I agree it is not a big amount of money, so either way, why don't we try for the kids going free this year and evaluate it at the end of the year. If it is a management disaster we can certainly change it. But I see, I think we ought to put some money in it. I agree with the Ballplayers tax, if there is extra Ballplayer tax whether it goes into whatever recreation centers we can do we should use it.

When I was a kid, Alderdice was opened for us to swim at. We didn't even have to walk to Schenley. So the city used to cooperate a lot more and there was a lot more things to do. I would rather hire lifeguards than policemen. I think this is at least a start in the right direction. If we couldn't get it all, why don't we at least give the kids a chance and I believe we can do it.

We have crossing guards by the way at most of the pools that are doing the collecting of the money or checking of the badges. They know the kids, they know who, they are mature enough to help the guards if there is a problem, if a kid has to be barred for a week or whatever that we can still hold those hooks over a kid who misbehaves.

Final word.

Mr. Diven:

I would just like to touch upon a point that yourself and Councilman Ferlo make regarding the pool fees and what the future of our pools are going to be. I think when we -- one of the things that we have been talking about in Council is instead of using pool fees as the means of income for management and maintenance of our pools we should be more proactive in looking towards either doing advertising or doing concessions. Well, if we start to go down that road and we want to get the best return on allowing either advertising or concessions at our pools, we have to be able to show the numbers of the people that are going to support these pools.

Right now there is an artificial cap on the number of people that will attend the pool which is going to impact how much money we are able to get out of sponsorships to either corporate sponsorships or out of corporations that would be willing to make an investment in running concession stands there. So, if we talk about this we need to be able to in this year to pad those numbers of people that use our pools by allowing people to have access to those pools. So that we come back and talk about advertising or concessions we can go out there and show that there is a high volume of people to take advantage of our pools. It is worth the financial investment of a company to be a good corporate sponsor of city programs that are going to give kids positive avenues to pursue in the summer months.

The Chair:

Any other discussion? We are

voting on the amendment to let kids go free.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Diven	Mr. Ferlo
Mr. Udin	Mr. O'Connor
	(Pres't)

NOES:

Mr. Cohen	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	

AYES Four NOES Five

Due to the lack of majority of votes of Council, the amendment is defeated.

The Chair:

Now on the bills themselves. The bills are now ready for final action. All those in favor of the passage of the bills, vote aye when your names are called; all those opposed vote no.

The ayes and noes are taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	

(Mr. Diven, Mr. Ferlo, Mr. Udin and Mr. O'Connor, Pres't, voted no.)

Bills have received the legally required number of votes and have passed

finally.

MR. DIVEN PRESENTED:

Bill No. 1367:

Report of the Committee on Public Safety Services for February 24, 1999, transmitting two resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1315:

Resolution directing the Public Safety Director/Deputy Mayor of Operations, Pittsburgh Police Chief, Pittsburgh Housing Authority Police Chief, Housing Authority Director, Executive Secretary, Youth Policy Coordinator to forward to Pittsburgh City Council, within 10 working days, a report of actions taken to date addressing the recent shootings and violence between youth in the Hilltop Communities of Council District 3. The report shall include any future community preventative measures such as Community Outreach and Awareness Programming.
(SPONSORED BY MR. RICCIARDI).

Which was read.

Also,

Bill No. 1172:

Resolution providing for an Agreement or Agreements with a consultant or consultants for professional training services at a cost not to exceed \$60,000, and providing for the payment of the cost thereof.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills? Bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

(Mr. Onorato voted no on Bill 1172)

Bills have received the legally required number of votes and have passed finally.

The Chair:

Motion and resolutions. I have an appointment to the Shade Tree Commission. Some of them will be in front of us tomorrow at your Wednesday meeting.

MOTIONS AND RESOLUTIONS

MR. O'CONNOR PRESENTED:

No. 1368 A resolution authorizing the appointment of Jennifer Arkett to the Shade Tree Commission, term to expire

January 31, 2001.

The Chair:

They will appear tomorrow in front of us.

I would like to announce Public Hearings, Thursday the fourth, this Thursday we will have a Public Hearing on Bed and Breakfasts at ten a.m. Also a Post Agenda Meeting cablecast, Friday, March 5, requested by Mr. Ferlo discussing Allegheny County budget projects.

Anything else under motions and resolutions?

Mr. Ricciardi:

Any other appointments, Mr. President.

The Chair:

Just the Shade Tree.

Mr. Udin:

I want to get a clarification. What is the status of the Council's responsibility regarding the Fire Chief?

The Chair:

Good question. We wrote, I believe we sent a letter at the time requesting actually the Mayor and the administration are out of our compliance by not appointing one. The last time I spoke to them, I am going back at least six weeks that they were going to seriously interview in-house and make a decision. That decision hasn't been made yet.

But I will strongly encourage them to start evaluating who they have whether it be the existing chief or other commanders that have applied for the job. At one time, I know there were no applications, now there are.

Mr. Udin:

Do you know whether or not the administration is conducting a search for the Director of Parks and Recreation?

The Chair:

I don't have that. I don't know that. By our law that we passed, I believe they have 30 days to fill that position.

Mr. Udin:

If you could get some clarify on both of those, I would appreciate it.

The Chair:

I will request that today.

Mr. Ricciardi:

President and colleagues, I will touch upon this for a second or to. I think that the taxpayers the biggest farce probably of the decade that has been pulled on the taxpayers was when the state legislature but forth the Homestead Exclusion. At that time if I am not mistaken the City of Pittsburgh and the residents of Allegheny County overwhelmingly approved the Homestead Exclusion. It was supported by many community groups including I believe probably the editorial board of our local newspapers.

On February 8th as you recall this body I believe I made a motion asking for a detailed report from our Finance Director in what is the status of the Homestead Exclusion? Commissioners Dawida and Cranmer probably spent thousands of dollars mailing out the Homestead Exclusion form and to what extent it is just very pitiful. I think it has put false hope on property taxpayers in the City of Pittsburgh that somehow immaculately that their property tax burden would decrease. But if you just look at this by face value and I believe what Mr. Hennigan has put forward in one of the last paragraphs. It says we have spoken with representatives at the Pittsburgh School District and at this point and time they do not intend to adopt any of the provisions that were put forward by the legislature. But it goes on and says, Act 50 does not provide offsetting income for our district. The legislation is directed at school districts, the levy in earned income under Act 511 in of 1965.

Now colleagues, listen to this next sentence, the Pittsburgh School District levels their earned income tax under the authority of Act 5083 of '61, their current earned income tax rate of 1.875 already exceeds the maximum allowed under Act 50. They cannot absorb the loss of revenue that would result from the implementation of this exclusion.

So, here we have tens of thousands of taxpayers in the City of Pittsburgh that have voted for the Homestead Exclusion Referendum put forward by the legislature, that have received these forms by the County Commissioners, that probably have done due diligence by getting their form in. And the School Board is not only not even going to consider the Homestead

Exclusion but it appears that they're not permitted even under Act 50 because they already exceed the income tax level.

Now this is not to say that Gene Ricciardi or this body supports a property tax over an income tax or income tax over property tax. But if we're going to talk about true tax reform and talk about what taxes are fair and what taxes are acceptable and what taxes the taxpayers are willing to entertain and then if we're going to go with the referendum stating up the dialogue and realizing it's just not going any where, it hit a brick wall. Because number one the school district can't even entertain it because even if they decide to pull a swap of property tax for an income tax because we know the seniors now that are having some difficulty paying their property taxes and many of the seniors are their kids have already or now taken advantage of the school district. But what really upsets me about all of this is the false hope that we generated with the taxpayers. I am getting a lot of calls and questions but according to what was forwarded to me on February 8th, just not even going any where.

So the legislature is going to try to say that they support tax reform. The legislature in Harrisburg is going to put forward a referendum saying that they're going to lower the property tax for individuals in the City of Pittsburgh no matter what age. If the two Commissioners, Cranmer and Dawida, I forgot which one comes first, they're interchangeable, but if the two Commissioners decide to mail out a homestead exclusion form for what benefit?

It is just very distressful to be

perfectly honest with you. Now if I take for granted what Mr. Hennigan is saying the taxpayers once again have been fooled. Something has been put out there saying hey taxpayers, we're in Harrisburg, we're sitting in the Courthouse, we're Commissioners, we're State Legislators, we are State Senators and we plan on helping you here in the City of Pittsburgh with your property taxes especially when it comes to the school taxes, it is a farce.

And, Mr. O'Connor, I am very pleased that you're starting some of these meetings with the School Board and legislators, and I think that we should address all of this. Because this is the reason I believe that the voters and the taxpayers are so disenfranchised with the entire system. They realize that people talk a good game but when it comes to really good, solid property relief tax, property relief here in the City of Pittsburgh, Harrisburg and the Commissioners have not come forward at all. Thank you.

Mr. Hertzberg:

Thank you. Boy there is so much confusion you're right, Mr. Ricciardi, and that this is just added this Homestead legislation, but you know if it was workable and it is not. There is not one school district in the state that's going to opt into this. But if one did, what you would see is a transfer of taxation even more heavily on the working people. If you were to make a swap of the Homestead tax for income tax guess what? The working people that are today paying both real estate tax and a wage tax when you take away the part that you're getting from their homes and you have to make it up some where, guess who is going to

make it up? The people that are paying income tax. So it is going to fall on the working people if we make that change.

So that's one of the big reasons that your not seeing that change made. I guess there is a raging debate about property taxes you know with the assessment system in the mess that it's in one day it is frozen, the next day it is unfrozen and things are happening faster than they have happened before, there is a big debate. Should we get rid of property taxes altogether, are they bad? I think one of the reasons we got to keep in mind in this debate is that property tax is probably the tax we have where there is no ability to evade it. We know where property is. We have a big problem in this city, county, state and federal government with those that are paid under the table or that receive their income illegally. They are never taxed what that amount is we will never know. One thing is for sure about property taxes, you can't hide land, you can't hide buildings there. It is a solid thing that can be taxed and I don't think that argument should ever be forgotten in our discussions on tax reform.

Mr. Cohen:

I would like to put my two cents in. Political science professors often talk about the symbol of government and that government at least something that we need to aspire to is that government needs to be fair and needs to inform the people. When it comes to this Act 50 Homestead exemption neither is the case. It has caused tremendous confusion.

I am glad that Councilman Ricciardi brought this up and Councilman Hertzberg made a very good point. That

frankly I hadn't thought about before on the evasion issue, but on the basic question of what is the Homestead Exemption about? Have the people who have put it into effect the state legislature and the county have they informed the populous about this and have people had an equal opportunity to take advantage of it? The answer to all of those questions is no. There has been tremendous confusion and over nothing. But the fact is, no school districts including the City of Pittsburgh School District and only school districts are allowed to do it, no school district has taken any action to provide a property tax exemption under Act 50.

So either they have created false hope to the property owners or false fear for the wage earners and in both cases it's false. So in my view at least this has been a huge failure and one that needs to be corrected. Imagine, I have never heard before of any kind of tax benefit at least where if you qualify for the tax benefit but you're not able to get the benefit unless you file a written form for it. I don't know of any other tax that is that way. Not to mention the fact that the stool districts haven't even taken any action to give us this exemption, so it has created confusion. It's wrong and I hope that it can be corrected.

Mr. Ricciardi:

Yes, thank you everyone for those comments. I would like to put forward, Mr. O'Connor, that I believe true tax reform and tax relief here in the City of Pittsburgh in the State of Pennsylvania is for our state delegation to work very diligently and take the billion dollar surplus. The surplus that has continued to grow because of strong economic times.

Take that surplus and give that in terms of tax relief to our seniors, for those individuals that are above the age of 50, 55, 60, 62, that no longer have children in the schools, that no longer are going to be taking advantage of the public school system and lower their property tax bite to the school district.

They're sitting on a billion dollars of solid money, of foundation money that was generated because of strong economic times. So they want to say I don't want to increase the property taxes, I don't want to increase the income tax, I don't want to increase the sales tax, give the billion dollars back to the senior citizens so their tax bite for school taxes will be lower. Thank you.

The Chair:

You bring up a good point, I am going to just end on it. I don't know if we need the Institute of politics or Pitt or somebody to maybe say here is what one state does. I don't think it is a city problem if it be Ohio or California and the states that are booming and just evaluate where we are and what tax structures different people have. The thing I hear from young people coming into Allegheny County, how high the property tax is, seniors, what are their alternatives and who is going to pay for them if we go another route?

Again, addressing your issue, what are we going to do with this building of knowledge? Are we going to wait for Governor Ridge's last year in office to go be Santa Claus? All we need is \$4 million for our court system and a couple million for our pension fund and our school kids need a couple dollars. They're only asking for 14, 15 million and they are almost

home free. Plus all the benefits you can do for our seniors or fix the senior centers that we need. Whatever the answers are, maybe we ought to have a bigger discussion on it and try to get to the bottom so we know who to lobby for and what to do.

With that, can I have a motion to approve the minutes?

MR. COHEN moved to approve the minutes.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

I would like a motion to recess today's meeting so we can have our asphalt discussion tomorrow.

MR. HERTZBERG moved to recess the meeting.

MR. COHEN seconded the motion.

And on the motion made by Mr. Hertzberg, the meeting recessed.

ADDENDUM

Mr. Udin's comments on Bill 1208 can be found in the Standing Committee Meeting minutes of February 24, 199.

UNFINISHED BUSINESS

The Chair:

Motion to reconvene meeting of March 2.

MR. FERLO seconded the motion.

Which motion prevailed.

MR. HERTZBERG PRESENTED:

Bill No. 1369:

Report of committees on Public Works, Water and Environmental Services, for March 3, 1999, transmitting two resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1195:

Resolution providing for a Contract or Contracts, or the use of existing Contracts for street resurfacing programs to include but not limited to ultra thin hot mix asphalt, hot mix asphalt, crack sealing, sawing and sealing, nova chip, flexible pavement, asphalt milling, truck rental, brick and blockstone repairs, handicap ramps, concrete slab replacement at various locations throughout the City of Pittsburgh, at a cost not to exceed \$6,015,000.00 Dollars.

Which was read.

Also,

Bill No. 1196:

Resolution providing for a Contract or Contracts, or the use of existing Contracts for street resurfacing programs to include but not limited to ultra

thin hot mix asphalt, hot mix asphalt, crack sealing, sawing and sealing, nova chip, flexible pavement, asphalt milling, truck rental, brick and blockstone repairs, handicap ramps, concrete slab replacement in CD areas throughout the City of Pittsburgh at a cost not to exceed \$2,961,603.00 Dollars.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Ms. McDonald:

Yes for clarity. We have read 1195 and 1196. So the numbers have changed because we had preliminary voted as amended to increase the cap. Councilman Onorato, can you clarify? Just a point of procedure.

Mr. Onorato:

The bills in front of us now, it will be a final vote on the annual authorization which does include the increased amount but that is only the authorization. There have been no dollars transferred as of yet. That will be determined next week.

Ms. McDonald:

Yes.

The Chair:

Any further discussion? Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote

no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were as follows:

AYES:

Mr. Cohen	Mr. Hertzberg
Mr. Onorato	Mr. Ricciardi
	Mr. O'Connor

(Pres't)

(Mr. Ferlo abstained, Ms. McDonald and Mr. Ricciardi voted no.)

Bills have received the legally required number of votes and have passed finally.

The Chair:

I would like motion to adjourn.

MR. UDIN moved to adjourn the meeting.

MR. COHEN seconded the motion.

And on the motion made by Mr. Udin, the meeting adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXIII

March 9, 1999

No. 10

Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, March 9, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. O'Connor

(Pres't)

ABSENT:

Mr. Udin

The Chair:

Will you all please rise for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

I hope in your prayers today we remember the Yankee Clipper, Joe DiMaggio, who passed away yesterday and I think one of the super stars, a real hero of

this century. I know he's a special hero to all baseball fans and especially the Italian American community. He is a very, very important person. In fact, last night at 11:30 I made my son come down and watch Ted Copple, and I said this is what baseball in America used to be. We just don't have heroes like that any more. We hope in the next century we have another or a couple Joe DiMaggio's.

With us today we have Oona Patil who is seven half years old in the second grade at Wittier Elementary School. She is accompanied by her mother, Sharon Brady-Patil, and she is from Councilman Hertzberg's District. Will you lead us in the pledge?

Oona Patil:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you. We have a gift for you, a flag of our city and country.

PRESENTATIONS

Members of the Saint Patrick Committee and Irish group please come up. We have St. Patrick in the audience this morning. This is sponsored by myself and Councilman Diven. I think he's still in Carrick making sure the streets get salted.

But he's on his way and it is co-sponsored by all members of Council. I want to thank you all for coming down. It is an annual event and again let's not have another day like today on Saturday. It is one parade we will never forget.

I will read the proclamation and let you tell us about all the events. This is really a St. Patrick's week.

MR. O'CONNOR, MR. DIVEN, AND ALL COUNCIL MEMBERS PRESENT:

No. 1370 WHEREAS, Pittsburgh's annual St. Patrick's Day Parade, sponsored by the Irish Society for Education and Charity, Inc., will be held on Saturday, March 13, 1999; and,

WHEREAS, the St. Patrick's Day Parade, first held in 1869, has grown in size and splendor since 1950. The parade now boasts of thousands of enthusiastic Irish marchers and draws tens of thousands of spectators to downtown Pittsburgh becoming the oldest and the largest parade in the City of Pittsburgh, and the second largest St. Patrick's Day Parade in the country; and,

WHEREAS, the magnificent St. Patrick's Day Parade will feature marching bands, specialty acts, traditional Irish costumes and floats; and,

WHEREAS, the parade will begin at 10:00 am at the Civic Arena, led by this years Grand Marshall, Terry Griffith, and including "Miss Smiling Irish Eyes", Kimberly Doyle, and her court, Jamie Waters and Jennifer Joyce.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, does hereby commend all of the organizers of and participants in the Annual St. Patrick's Day Parade; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does, in the spirit of Pittsburgh's Irish community, hereby declare the week of March 13 to March 20, 1999, to be "St. Patrick's Week" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Donahue:

Thank you, President of City Council, Bob O'Connor, and thank you to all the Councilpersons here. Another year has passed and we can tell it's March again as we look out the window and see the snow there. We are hoping that this bad weather will leave us by Thursday so by Saturday morning it is in the 50's and the sun will be out.

Again, this year we would like to welcome the whole Pittsburgh community and Allegheny County to join us in this celebration of Saint Patrick. This is a community parade not only Irish, but all the people and the community and the surrounding area hopefully will participate. Again, we have planned to put on a production that will bar none be the best we that we have ever done. So we are looking forward to all of you being there.

Before I introduce Ms. Smiling Irish Eyes and the Grand Marshal, I would like to introduce the workers who make all of this possible. I'll start from the very far left and that's our Saint Patrick Fran Walsh, and next to him is Jerry O'Brian, and County Manager Glen Canon and the man who orchestrates the whole parade once it gets started at the parade site, Jim Flannigan. The secretary, John Mackavoid, and our Grand Marshal's lovely wife, Jan Griffith, who is also a member of the parade committee and I will introduce the last two in time. There are some more people out in the audience I would like to introduce Ms. Smiling Irish Eyes' mother and dad, Dennis and Linda, and Denny McMannis and his friend Jay Rolling. I will now turn the program over to our Miss Smiling Irish Eyes of 1999 Kimberly Doyle.

Kim Doyle:

I just first want to thank God for giving me the chance to be here. I want to thank the Irish Committee and everyone who voted for giving me this wonderful and exciting opportunity. I am proud to represent the Irish community. Thank you.

Mr. Donohue:

And this year's 1999 Grand Marshal, Terry Griffith.

Mr. Griffith:

I would like to join Kevin in thanking President of the City Council, Bob O'Connor, and all the members of the City Council for having us this morning. On this momentous occasion we should be grateful and proud that we are citizens of this great city and country and free to

celebrate our heritage and each others heritage as well.

In Northern Ireland Belfast is holding its second ever St. Patrick's Day Parade next week. With the blessing of the city's first Roman Catholic Mayor but the loyalists are boycotting it. After having promised 50,000 pounds taken away by the Belfast City Council because last year, the first year, citizens were waving Irish flags. Miraculously though through the generosity of people in this country who donated money to the Belfast parade committee and money from Euro funds the parade will go on. Although Saint Patrick's remains are refutably buried in (inaudible) 20 miles South of Belfast, Saint Patrick's Day in Northern Ireland has long been a muted affair and celebrated exclusively on catholic turf. What enlarges it in America to include anyone and everyone is the first amendment's guarantee a freedom of religion will not be diminished by a Congress bent on some kind of favoritism for one religious group over another. Congress shall make no law respecting an establishment of religion says the constitution.

And that's that. Over here Saint Patrick is everyone's saint or non-saint and there are no barriers real or imagined between Catholics and Protestants, no animosity, no resentment, nothing means spirited, no bombs, no guns, and no hate. Thus are we able to enjoy the Americanization of Saint Patrick. So we must thank the Irish immigrants and today's Irish Americans for making it so. Whether they are Catholic or Protestant or neither. Over here Saint Patrick belongs to all of us.

In London Dublin and Belfast a new wisdom seems to be immersing

slowly and we in Pittsburgh should take satisfaction in it. In the current troubles Americans are playing a role as mediators and Pittsburgh specifically has opened its arms in friendship to Jerry Adams and the whole ideology of democracy for people who have been cruelly treated in their own country.

A just piece in the North of Ireland is the theme of this year's parade. And many of us are dedicated to that purpose. It's a fine commentary on British stubbornness that the former colonies that threw off British's role 200 years ago are helping rescue the former mother country from another case of colonial mismanagement. We hope that Belfast's Saint Patrick's Day Parade will be as glorious as Pittsburgh's, none the less the peace process has improved public confidence especially among nationalists. Flying Ireland's tricolor is now legal so are signs and gaelic. The guns are silent not dependably silent but silent. And in that light our march down Grant Street and the Boulevard of the Allies will be a demonstration of changing times.

As President Clinton said in Belfast in November of 1995 we will stand with those who take risks for peace and if you walk down that road continually you will not walk alone. Rejoice in our freedom to celebrate Saint Patrick's Day in Pittsburgh and around the world and I look forward to seeing all of you on Saturday.

Mr. Donohue:

Thank you, Terry. I also missed another supporter of the Saint Patrick's Day Parade and worker who has helped us throughout the years in our committee, Beth Pithinger.

Now again, I want to thank all City Council and hope to see all of you there on Saturday morning at 10:00. For the people who are going to be in the parade, approximately 9:30, quarter after nine. Thank you again for the time you gave us.

Mr. Ferlo:

I just wanted to ask a question actually. I just heard the gentleman say that the parade route will be down the boulevard and I was wondering why the parade route wouldn't be down Fifth Avenue corridor?

Mr. Donohue:

This year we are still going on the boulevard it had been set that way six years ago and the parade committee itself requested we continue to go down the boulevard. The boulevard gives a better access for our size parade, one. Two, the boulevard if it is a sunny day gets sun on both sides of the street. Also when you have a family you need room, on 5th Avenue which is a great avenue, which was a great avenue probably still will be a great avenue for parades, it is too crowded for the kind of crowd that we have down there. Are we in stone with the Boulevard of the Allies? No, we are not. The way this year we are going to continue there and unless there are some changes made we will still march down there.

Mr. Ferlo:

Thank you.

Saint Patrick:

We wish everyone that the wind

stay at your back this afternoon and see you at the parade on Saturday. God bless.

The Chair:

We have two to be read into the record.

MR. UDIN PRESENTED:

No. 1371 WHEREAS, on Sunday, March 20, 1999 Oliver Randall Montgomery, Sr. will be honored for his fifty years of service as a community leader and trade union activist; and

WHEREAS, Oliver Montgomery, as a teenager working his way through college, joined USWA Local 2163 in 1948. In 1950, he was transferred to USWA Local 1462 Brier Hill Plant of the Youngstown Sheet & Tube where he served a four-year apprenticeship and became an Industrial Bricklayer. He rose through the ranks of the Local Union service as a shop steward, grievance chairperson, job evaluation chairperson, education chairperson, worker's compensation chairperson, secretary to the Civil Rights Committee, Local Union Officer and Central Body Officer. He also founded the Youngstown Sheet & Tube Credit Union and served as its Vice President until asked to join the International Union's Research Department in 1969 as a Research Associate and Financial Analyst where he served for 24 years until named to head Steelworker Organization for Active Retirees (SOAR) in 1994; and

WHEREAS, Oliver Montgomery helped build SOAR with more than 200 chapters in 50 states and Canada. He graduated Youngstown State University in

1956 with a B.S. in pre-med. and psychology. Mr. Montgomery has lectured on Labor Issues and Labor Economics at Notre Dame, University of Pittsburgh and Carnegie Mellon Universities; and

WHEREAS, Oliver Montgomery served as a member of the National Founding Steering Committee of National Coalition of Black Trade Unionists in 1972, and still serves as a member of the National Executive Council. A life member of the NAACP, Montgomery has lead the Penn Hills NAACP Branch's fight for justice for the past five years; and

WHEREAS, he has received many awards and accommodations while serving in the U.S. Army. He retired in 1989 after more than 41 years of military service, both active and in the reserve. A veteran of the Korean War, Montgomery was assigned to the Pentagon while serving four years in the Reserves.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh, joins family, colleagues and friends in honoring Mr. Oliver Randall Montgomery, Sr. for his outstanding achievements, hard work and dedication.

MR. HERTZBERG moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

We will now move to presentation of papers.

MR. COHEN PRESENTED:

No. 1372 Resolution providing for the leasing of space located at Highland and Rippey Streets, Pittsburgh, PA Council District #9, 11th Ward (land to be improved by HOME DEPT U.S.A., INC. for a Home Improvement Center), from HOME DEPOT U.S.A., INC., for the purpose of establishing a Community Oriented Police mini-station. The lease term will be for 3 years and renewable annually subject to an annual appropriation provided by City Council. Yearly rental cost to the City of Pittsburgh is \$1.00 plus utilities. The City shall assume responsibility for the utilities, as they will be metered in the City of Pittsburgh's name.

Which was read and referred to the Committee on Lands, Buildings & Procurement.

MR. FERLO PRESENTED:

No. 1373 Resolution providing for the issuance of a warrant in favor of Tony Pampera Corporation in the amount of \$106,760.66 in payment of an Emergency Contract for the Rehabilitation of the Flowers Avenue Retaining Wall; and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Finance and Budget.

No. 1374 Resolution amending Resolution No. 144, effective April 2, 1998, entitled "Providing for a Contract or Contracts, or use of existing Contracts in connection with the Grant Street Maintenance Program; and providing for the payment of the cost thereof," by

increasing the total project allocation by \$75,000.00 from \$152,500.00 to \$227,500.00.

No. 1375 Resolution providing for a Contract or Contracts, or use of existing Contracts and for the purchase of materials, equipment and supplies in connection with the construction of a new playground at Friendship Academy; at a cost not to exceed \$60,000.00.

Which were read and referred to the Committee on Engineering and Construction.

MR. HERTZBERG PRESENTED:

No. 1376 Resolution Vacating Shore Ave. (80' wide, from Allegheny Ave. easterly to its previously vacated portion (per Resolution 255 of 1966)); Galveston Ave. (80' wide, from the northern right-of-way of former Reedsdale St. to Shore Ave.); Stadium Dr. West (40' wide between North Shore Dr. and Reedsdale St. as relocated); Stadium Circle Dr. (Stadium Outer Ring Rd., from centerline Gate A to centerline Gate D); Allegheny Ave. (Kaufmann's Ramp at Shore Ave. northerly to the southern right-of-way line of the former Reedsdale St., for a variable width of $\pm 20'$) Former Reedsdale Street, 40' wide from Allegheny Avenue to its easterly terminus in the 22nd Ward, 6th Council District of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works, Water & Environmental Services.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar

day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. ONORATO seconded the motion.

Which motion prevailed.

MS. MCDONALD PRESENTED:

No. 1377 Resolution Approving Execution of a Contract For Disposition of Land By and Between the Urban Redevelopment Authority of Pittsburgh and the International Brotherhood of Electrical Workers, Local Union No. 5, for the sale of Parcel E-1a (Part of Block 29J Lot 8) in the Sixteenth Ward of the City of Pittsburgh in Redevelopment Area No. 55, Carson Street, Council District No. 3 (construction of office building, apprenticeship training facility and conference center).

Which was read and referred to the Committee on Housing, Economic Development & Promotion.

MR. UDIN PRESENTED:

No. 1378 Resolution authorizing the Citizen Police Review Board to enter into a Contract or Contracts for the hiring of counsel and consultants to assist in the representation of the Citizen Police review Board at a cost not to exceed \$45,000.00 (Forty-Five Thousand Dollars)

No. 1379 Resolution PROVIDING for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

No. 1380 Resolution PROVIDING for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

No. 1381 Resolution PROVIDING for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984, having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program.

No. 1382 Resolution PROVIDING for the filing of a petition or petitions for the sale of certain property or properties, known as Lien Excluded Properties acquired at tax sales, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were read and referred to the Committee on Finance and Budget.

MR. O'CONNOR PRESENTED:

No. 1383 Resolution requesting the City Solicitor to file a legal action, in either state, federal court, to recover damages and other relief by various gun manufactures who fail to institute specified safety guidelines.

Which were read and referred to the Committee on Finance and Budget.

No. 1384 Communication from City Solicitor, Jacqueline Morrow

submitting a summary of all claims filed and paid in February 1999.

Which was read, received and filed.

No. 1385 Petition from the residents of the City of Pittsburgh requesting a public hearing to discuss URA's sale of land on the LTV site to UPMC for a Football Compound.

Which was read and referred to the Committee on Housing, Economic Development & Promotion.

MR. HERTZBERG moved to receive and file the Solicitor's report.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Anything under unfinished business?

UNFINISHED BUSINESS

I have the appointment of the Shade Tree Commission. We have final appointment to the Shade Tree Commission.

MR. O'CONNOR PRESENTED:

No. 1325 Resolution Authorizing the appointment of Vanessa Pressley Larson, 401 Pin Oak Court, Moon Township, PA 15108, as a member of the Shade Tree Commission, term to expire January 31, 2000.

No. 1326 Resolution Authorizing the appointment of Mary Savage, 7010

Bennett Street, Pittsburgh, PA 15208, as a member of the Shade Tree Commission, term to expire January 31, 2000.

No. 1327 Resolution Authorizing the appointment of Peggy Smyrnes-Williams, 122 South 17th Street, Pittsburgh, PA 15203, as a member of the Shade Tree Commission, term to expire January 31, 2000.

No. 1328 Resolution authorizing the appointment of Patricia Carr, 305 Raymond Street, Pittsburgh, PA 15218, as a member of the Shade Tree Commission, term to expire January 31, 2000.

No. 1329 Resolution authorizing the appointment of Eddie Shaw, 6351 Phillips Avenue, Pittsburgh, PA 15217, as a member of the Shade Tree Commission, term to expire January 31, 2001.

No. 1330 Resolution authorizing the appointment of Kenny Steinberg, 210 Grant Street, Pittsburgh, PA 15219, as a member of the Shade Tree Commission, term to expire January 31, 2001.

No. 1331 Resolution authorizing the appointment of Ellie Padole, 3309 Beechwood Boulevard, Pittsburgh, PA 15217, as a member of the Shade Tree Commission, term to expire January 31, 2001.

No. 1332 Resolution authorizing the appointment of Lisa Kunst Vavro, Department of Engineering and Construction, as a member of the Shade Tree Commission, term to expire January 31, 2001.

No. 1333 Resolution authorizing the appointment of Mark Remcheck, 2162

The Circle, Washington, PA 15301, as a member of the Shade Tree Commission, term to expire January 31, 2001.

No. 1334 Resolution authorizing the appointment of Eliza Smith Brown, 5367 Fair Oaks Street, Pittsburgh, PA 15217, as a member of the Shade Tree Commission, term to expire January 31, 2001.

No. 1335 Resolution authorizing the appointment of Nancy Noszka, 1405 Jancey Street, Pittsburgh, PA 15206, as a member of the Shade Tree Commission, term to expire January 31, 2001.

No. 1336 Resolution authorizing the appointment of Nita Fandray Modaro, 128 East Agnew Avenue, Pittsburgh, PA 15210, as a member of the Shade Tree Commission, term to expire January 31, 2001.

No. 1337 Resolution authorizing the appointment of Lindsay Bond Totten, RD#3, 359 Locust Hill Road, Cheswick, PA 15024, as a member of the Shade Tree Commission, term to expire January 31, 2001.

No. 1338 Resolution authorizing the appointment of Myrna Antonio-Hall, Department of Parks and Recreation, as a member of the Shade Tree Commission, term to expire January 31, 2002.

No. 1339 Resolution authorizing the appointment of Ann Jones Gerage, 64 S Fourteenth Street, Pittsburgh, PA 15206, as a member of the Shade Tree Commission, term to expire January 31, 2002.

No. 1340 Resolution authorizing the appointment of Josie Gaskey, Western

Pennsylvania Conservancy, 209 Fourth Avenue, Pittsburgh, PA 15222, as a member of the Shade Tree Commission, term to expire January 31, 2002.

No. 1341 Resolution authorizing the appointment of Bill Torbet, Western Pennsylvania Conservancy, 209 Fourth Avenue, Pittsburgh, PA 15222, as a member of the Shade Tree Commission, term to expire January 31, 2002.

No. 1342 Resolution authorizing the appointment of John Hook, 214 Fourth Street, Pittsburgh, PA 15215, as a member of the Shade Tree Commission, term to expire January 31, 2002.

No. 1343 Resolution authorizing the appointment of Judith Donaldson, 650 Smithfield Street, Suite 210, Pittsburgh, PA 15222, as a member of the Shade Tree Commission, term to expire January 31, 2002.

No. 1344 Resolution authorizing the appointment of Dale Vezzettei, Forestry Division, 6520 Stanton Avenue, Pittsburgh, PA 15206, as a member of the Shade Tree Commission, term to expire January 31, 2002.

No. 1368 Resolution authorizing the appointment of Jennifer Arkett, 411 Seventh Avenue, PO Box 1930, Pittsburgh, PA 15230, as a member of the Shade Tree Commission, term to expire January 31, 2001.

Mr. Ferlo:

Yes. Thank you, Mr. President. Obviously we would like to thank collectively all those individuals that were just named. My motion is to approve all

the nominations by the Mayor for the new and improved Shade Tree Commission.

But on the motion to approve, I won't reiterate all my comments from the Standing Committees Meeting, but I am concerned that there are at least three staff people I believe that are named. All of whom could serve in an ex-official capacity. I don't think there is going to be really controversial split votes on this commission. The staff people, I applaud them for agreeing to work the extra hours and do the good work of the commission. But if colleagues have other individuals as well from their respective districts that are interested and concerned about the urban forestry issue, I would strongly suggest that we continue to add names to the commission.

As far as I am concerned if it is 30 people, I don't think it is a problem the more the merrier. I think it would improve the good work. There are a lot of sub committees that need to be created. I would like to reiterate my request that the administrator make clear to the commission who within the bureaucracy will help staff the commission? If it is Engineering and Construction, if it is Planning, if it is someone from the Mayor's Office, if it is Dale from forestry, or Public Works, whatever, but I would ask them that they quickly communicate to the commission and to this Council through who in the administrative chain of command it is going to be? So that the commission can get started, and they can be sworn in and they can formally advertise their meetings. I would ask the Clerk's Office to help out and I would also reiterate my request that they get part of the web site, the city's web site location. I would ask that the tree commission have a

few pages on the City of Pittsburgh's web site including posting their meetings. Also I think the administration should allow the cable casting of meetings at least on a quarterly basis to get some people involved in this process.

I would reiterate one request to the Clerk and to you, it has been over a year now since the administration has not put out a bid, a competitive bid for the bus shelter program in the city. These are beautiful shelters, there are several companies that have the financial wherewithal that are chomping at the bit waiting for the bid to come out. Two great local companies, all union companies, locally based, Chancellor Martin Media, Gateway Outdoor, and possibly others.

We have already been out we have probably lost over a hundred thousand dollars so far in the ad money that we were going to be taking in with this bus shelter initiative, and that money was to go to the tree commission. So please if the administration could move off the dime, it has been over a year now for the competitive bid on the bus shelter. The commission is out money, and more importantly or equally important a lot of our bus residents who are waiting for buses don't have the comfort of new and improved bus shelters. Please move quickly on that issue because it indirectly relates to the Shade Tree Commission. Thank you.

The Chair:

Our citizens could use them on a day like this. We will send a letter today and request that answer by the end of the week.

Mr. Hertzberg:

All right. I want to follow up on that bus shelter issue, because we had that debate and it was over and we have been waiting forever. Now I drive to McKees Rocks, which adjoins Council District Two on the west, they got them all over the place. They have been up for six months or a year and they are very nice looking, they are very tasteful. I don't understand what the delay is.

Mr. Ferlo:

The delay is with City Planning when it should have just stayed in General Services who knows how to construct a bid. That is the problem. Sometimes people think too much in government.

The Chair:

The Port Authority put them up and I believe there is room for more in our city too, whether it be Port Authority or --

Mr. Ferlo:

I don't want PAT to put any more up. This is our right of way, we should be making the money, not Port Authority they have enough money.

The Chair:

But our citizens are suffering. So we will insist that the Mayor react this week for an answer and who is bidding on this? Is it General Services?

Mr. Ferlo:

Director Hirsh, City Planning, who unfortunately has ten other responsibilities

because she is one of these catchall directors, she is a great director. Unfortunately she is burdened with every project that the administration takes on because of the incompetence of other directors.

Mr. Cohen:

Mr. President, on the Shade Tree Commission, I submitted two names of people from the neighborhood of Friendship who are interested in being on the Shade Tree Commission. I am glad to hear Councilman Ferlo say that it would be opened up to more people because these are two people who had a real avid interest. So if we could get them on, I think it would be an asset to the commission.

The Chair:

Do we have a date of when that's going to start so it doesn't become a fiasco?

Mr. Ferlo:

I would like to ask the President and the Clerk to communicate to the administration and let the commission members know and also this Council because many of us would like to be at the initial meetings.

The Chair:

They will be sworn in and we will insist that they move quickly because I think this is a much bigger issue. There is a lot more interest than I think people realize in this commission. And thank you for bringing us all together.

Is there any more unfinished business to come in front of Council?

Mr. Ferlo:

I just want to clarify again if we could reiterate that we have a Post Agenda on this issue of the Federal Empowerment Zone. And if we could hear that date and time and place and I am concerned because I have spoken to two Congress people they have given me a completely different version of our application versus what the administration is telling me.

I would like to sort out some facts and fiction and also since I made my comments about making sure that we never greet Al Gore here in the city all of a sudden now he has expressed some interest in making sure we get funded. So, maybe we need to start pounding on Al Gore and maybe we will get our application re-reviewed once again. So if we could reiterate when that Post Agenda is.

The Chair:

Do we have a date on that?

Mr. Hertzberg:

The Empowerment Zone, it is March the 30th. March 30th and we did change the date specifically because of the congressional calendar. We invited all of our Congressmen to be here in person. I don't know whether we have confirmation. But I know that they won't be in sessions then, they're on recess then and that's why we have moved it back to try to accommodate their schedules.

The Chair:

I think your comments are reaching pretty far. I got a call from Al Gore's Office and they are very concerned about this issue. I believe it is certainly the proper time to bring it up. I know in the past Mr. Cohen has brought it up quite a bit.

Mr. Ferlo:

Just tell them to send a check.

The Chair:

But it is time to get the money, show me the money. This is an opportunity to gather our leadership.

Mr. Ricciardi:

Who has been invited to that Post Agenda? Who are the invitees?

The Chair:

I believe our congressional leadership, how many congressmen?

Mr. Hertzberg:

Dr. Birru.

Mr. Ricciardi:

The administration, the city, the county, some state officials, federal officials, and development officials. Okay. Thank you.

Mr. Ferlo:

I did ask Ms. McCormick and Mr. Kolling -- I wanted Ms. McCormick and Mr. Kolling. The administration hired all these people, a couple hundred thousand

dollars they are paying out in salaries I wanted to understand what they are doing and what their role is in this, good bad or indifferent.

Mr. Cohen:

Is it possible to get a local representative from the Department of Housing and Urban Development? So that, if we were to get empowerment zone funding, it would come through that department and also would prevent certain representatives there to say that they don't know the answer because it is from the Department of Housing and Urban Development. If we could get someone from that department, that would be helpful.

The Chair:

Should we ask members of Atlanta and Philadelphia and Cleveland and all the cities that seem to get the bacon?

Mr. Cohen:

I don't think they will be coming, Mr. President.

The Chair:

I believe it's something that we have to do. This is certainly taking an opportunity whether it is election time or what, maybe that's the best time to get the money.

Mr. Onorato:

Is the Congressional delegation coming?

Mr. Hertzberg:

They're the featured.

The Chair:

That's the key. Anything else under unfinished business?

I am sorry, we didn't vote on the appointments to the Shade Tree Commission.

MR. COHEN moved to approve the appointments of the Shade Tree Commission.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

Now move to Committee Chair Reports, Mr. Hertzberg.

CHAIR REPORTS

Mr. Hertzberg:

Thank you, Mr. President. We will begin by talking about the status of our snow and ice control program. A subject which I know is right at the front of everyone's concerns today.

First in general, the Department of Public Works has changed some of their procedures since we had some problems particularly in the 31st Ward, which I know is your district, Mr. President. We are utilizing the Public Works Third Division now which is actually located on the Hazelwood side of the Monongahela River. We are utilizing the Third Division for first responses in the 31st Ward. The capacity of salt at the Hazelwood Facility

has been doubled. We are also loading salt at the county facility, which is located in the 31st Ward and alternative fuel sites are available for all divisions with the use of gas cards.

And since the January problems we have had two snow ice related events and the primary and secondary roads throughout the city were cleared effectively.

With respect to the current snow storm which I see hasn't stopped, our Public Works Department started its pre-salting at two a.m. this morning that's before there was any snow falling. We began to salt the roads. The snow started falling at about four a.m. this morning, by seven a.m. because we got an early start, by seven all the primary roads had been salted already.

Right now Public Works is going back through all the primary roads, we are hitting them a second time. Because of the nature of the storm, we're going to have to do the primaries twice. We expect to have them completed by around noon at which time the shift will go to the secondary roads and by about seven o'clock we should have those completed.

On the subject of pothole patching. We have spent about \$163,201 patching potholes. Our efforts continue, 688 tons of cold patch have been put down.

On the issue of overtime or premium pay 73% of the budget has already been spent which is about \$500,000 of a \$689,000 budget.

On the issue of vacancies, nine laborers out of the ten that were approved

have already been hired. We continue to have other vacancies. Four tractor operators are still vacant they are developing a test for that position. Two skilled laborers are still vacant; we are awaiting the bid results. Two truck driver openings are vacant; we are waiting the bid results. One tree pruner vacancy is still vacant; we're interviewing an accountant too. There is no list and it must be rebid.

There are 16 additional vacancies in operations, 14 of which are in refuse and they have been requested but not approved to be filled yet and that I assume budget hasn't approved the filling of those yet.

On the environmental services, the refuse end, we have some very good news to report for all the taxpayers, the Landfill bid was awarded February 24th we have great savings to report the amount of \$1.4 million over five years.

On the playground retrofit topic and retrofits need to be distinguished from reconstruction. Retrofits are primarily playgrounds that we reconstructed maybe five, ten years ago and we are making some new safety updates to. We're finishing retrofits at Wightman playground, which started in '98, for '99 there are five retrofits planned, Swisshelm Park, Magee, Alton, Olympia and East Carnegie.

Some other miscellaneous things that have been completed by the construction division, guiderail installation at Guyland Street, Windgap Road, 18th Street in Oakland Square, step repair at Doaj Way, Ottawa Street and 56th Street. Wall repair at Luella Street, Domestic

Street and Marvista Street. That completes the report.

The Chair:

Thank you. Any questions or comments?

Something isn't kosher. I came down the Boulevard of the Allies today, and I don't think it was touched. Something either we're short of manpower or I mean it is a main artery, it wasn't even to stop the traffic. But I know they started early and I was on the phone and my office got a lot of complaints, more complaints probably today than in the past. I'll know more -- just by luck my trusted assistant, Doug Shields, was picked up at 9 o'clock this morning to visit Hazelwood, Lincoln Place, and Swisshelm Park with a reporter. It wasn't intentionally on snow but we will certainly probably get a good report on if it is working or if it isn't first-hand today on the 31st Ward.

I still encourage the city and county to go back and I understand they are working with our old agreement where the county did Lincoln Place because of it's really at the tail end of the city. So when the county did it, we never had a complaint, in fact someone this morning was they live in Gates Manor where the bureau does half and then they stop and they say we are okay as long as we can get to the bureau we're all right. So, we still have a lot of work to do. I know Councilman Diven is checking his district that's why he's late.

Mr. Ricciardi:

I thank you for those remarks because I think we still need to continue to oversee or at least have input into snow

removal and ice control here in the City of Pittsburgh. Obviously the Chair, Mr. Hertzberg, gave a good report. However, you know it is different to see something on paper as I said several months ago when I presented our plan to one of my constituents and they said what I could do with it.

Mr. O'Connor, you raise a very good point when the county did the Lincoln Place area, please keep in mind it is not because they were just doing it out of good faith, but we were doing a number of their roads. I keep bringing this up. I believe this firmly that the agreement between the City of Pittsburgh and the Commonwealth of Pennsylvania and Allegheny County is at the detriment of city roads, and city pave ways.

Please recall when the county decided, when the county decided to give back Lincoln Place, the City of Pittsburgh did not give back any county roads to Allegheny County. So if you have an agreement in place and Allegheny County says well we're going to do the 31st Ward which is Lincoln Place, and the City of Pittsburgh says well we're going to do a number of county roads. Well when the county said we no longer want to do Lincoln Place, the City of Pittsburgh did not give back any roads and that's at the detriment of that.

If you go right now on Carson Street, which is a state road, you will see that it is running water. It is doing very well. That's a state road, city workers are doing that road. If you go on right now some other county roads and it escapes me right now, Noble Lane and a few other ones, it is running water and the city did it. Well, I am convinced of this. The city

should do our roadways, Allegheny County should do theirs and the state should do theirs. Because what happens here in the City of Pittsburgh people are always going to blame the City of Pittsburgh, the elected officials and Public Works when they see roads are not well. But if they realize who is responsible for what, things would change.

State Representatives and State Senators should receive the same number of calls that we receive regarding state roads but they don't because the City of Pittsburgh has taken responsibility for them. I have stated this in the past and some others try to brush it off as political rhetoric but it is not. Mayor Murphy has continued to live up to the agreement with Commissioner Dawida to do county roads. And when they gave back Lincoln Place we should have gave back county roads. It is a matter of record.

People can still talk about you know when the county came here and the city came here and we all wanted to be friends, and they showed us. Well we're doing the same amount of roads, meaning the same lineal, came out to I think 9.8, Mr. O'Connor, 9.8, 9.8, you can't compare the two. The county is doing city roads that only require one tandem to go up and down to snowplow it. We're doing county roads with four lanes of traffic so you have to double that and sometimes triple that and that's one of the problems.

We can keep running away from it, but it is bad agreements between Allegheny County and the State of Pennsylvania and the City of Pittsburgh. So a lot of this should be redone and rethought out.

The Chair:

Thank you. Let's see what happens by rush hour going home tonight. Anything else Chair Reports?

Hearing none, move to Reports of Committee.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1386:

Report of Committee on Finance and Budget for March 3, 1999, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1310:

Resolution transferring the amount of \$15,000.00 from fund no. 1000, org. code 999200, sub class 150, budget year 1999, Non-Departmental Citywide tot he Public Safety Police Miscellaneous Services account fund 1000, org. code 230000, sub class 150, budget year 1999 in order to provide services to the Police and Communities Together annual program. --
-(SPONSORED BY ALL COUNCIL MEMBERS)

Which was read.

Also,

Bill No. 1316:

Resolution providing for the filing of a petition or petitions for the sale of

certain property or properties, known as Lien Excluded Properties acquired at tax sales, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(a) 916 Madison Avenue, 23rd Ward, Block 24J, Lot 220, being sold to Spring Garden Neighborhood Council, Inc., \$100.00. Vacant lot containing an area of 750 sq. ft. Intended Use: Future development. Council District 1.

(b) 918 Madison Avenue, 23rd Ward, Block 24J, Lot 224, being sold to Spring Garden Neighborhood Council, Inc., \$100.00. Vacant lot containing an area of 4,390 sq. ft. Intended Use: Future development. Council District 1

(c) 922 Madison Avenue, 23rd Ward, Block 24J, Lot 225, being sold to Spring Garden Neighborhood Council, Inc., \$100.00. Vacant lot containing an area of 2,000 sq. ft. Intended Use: Future development. Council District 1

(d) 414 Suismon Street, 23rd Ward, Block 23S, Lot 277, being sold to East Allegheny Community Council, \$1,000.00. Three story brick house situated on a lot containing an area of 1,291 sq. ft. Intended Use: Future development. Council District 1.

(e) 1201 - 1203 Spring Garden Avenue, 24th Ward, Block 24F, Lot 173, being sold to Spring Garden Neighborhood Council, Inc., \$100.00. Vacant lot containing an area of 3,072 sq. ft. Intended Use: Future development. Council District 1.

(f) 1836 Gebhart Street, 26th Ward, Block 47H, Lot 121, being sold to Spring Garden Neighborhood Council, \$100.00. Vacant lot containing an area of 17,951 sq. ft. Intended Use: Future development. Council District 1.

(g) 1824 Spring Garden avenue, 26th Ward, Block 47H, Lot 127, being sold to Spring Garden Neighborhood Council, \$100.00. Vacant lot containing an area of 6,480 sq. ft. Intended Use: Future development. Council District 1.

Which was read.

Also,

Bill No. 1317:

Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, known as Lien Excluded Properties acquired at tax sales, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(a) 5432 Penn Avenue, 8th Ward, Block 50S, Lot 200, being sold to Friendship Development Associates, Inc., \$1,000.00. 2.5 story brk hse. & 1 sty. brk. & tile gar situated on a lot situated on a lot containing 5,203 square feet. Intended Use: Rehab for sale. Council District 8.

(b) 722 Lorenz Avenue, 20th Ward, Block 20R, Lot 60, being sold to West-End Elliot Joint Project, Inc., \$100.00. Vacant lot containing an area of 2,800 sq. ft. Intended Use: future development. Council District 2.

(c) 1413-1419 Nixon Street, 21st Ward, Block 22E, Lot 96, being sold to Manchester Citizens Corporation, \$100.00. Vacant lot containing an area of 9,240 sq. ft. Intended Use: Hope VI. Council District 6.

(d) 1921 Manhattan Street, 21st Ward, Block 22F, Lot 29, being sold to Manchester Citizens Corporation, \$100.00. Vacant lot containing an area of 589 sq. ft. Intended Use: Hope VI. Council District 6.

(e) 1404 Warner Street, 21st Ward, Block 22F, Lot 120, being sold to Manchester Citizens Corporation, \$100.00. Vacant lot containing an area of 2,838 sq. ft. Intended Use: Hope VI. Council District 6.

(f) 1411 Nixon Street, 21st Ward, Block 22F, Lot 20, being sold to Manchester Citizens Corporation, \$1,000.00. 2.5 Sty. fra. & shg. Hse and a 1 sty. c.b. open building, situated on a lot containing an area of 1,914 sq. ft. Intended Use: Hope VI. Council District 6.

(g) 10 Borough Street, 26th Ward, Block 47H, Lot 120, being sold to Spring Garden Neighborhood Council, Inc., \$100.00. Vacant lot containing an area of 4,794 sq. ft. Intended Use: Future development.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Bills are now ready for final action.

All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
	Mr. O'Connor
	(Pres't)

AYES Seven NOES None

Bills have received the legally required number of votes and have passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 1387:

Report of the Committee on Public Works, Water and Environmental Services for March 3, 1999, transmitting two resolutions to Council.
Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1309:

Resolution providing for an Agreement or Agreements, or the use of existing Agreements for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh effective January 1, 1999 and providing for the payment of the cost thereof which is not to exceed Two Hundred Thousand

(\$200,000.00) Dollars, chargeable to and payable from Account 527900, Fund 1000, Org. 430000, Sub-Class 150, Project N/A, Budget Year 1999, Vacant Lot Cleanup, Department of Public Works.

Which was read.

Also,

Bill No. 1357:

Resolution further amending Resolution 781/1998, January 1, 1999, entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvements Program," transferring \$4,000.00.00 from various accounts to Citywide Resurfacing Code Account. (SPONSORED BY MR. ONORATO).

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Hertzberg:

Point of procedure. There should be another bill in there. There should be capital, I think. You only have CDBG, for some reason, on the asphalt, there are two bills.

The Chair:

Did we final vote that last week, remember we held the meeting?

Mr. Hertzberg:

No. They are companions, one is for community development block grant, one is for capital bond money.

Mr. Ferlo:

They combined both of them for the 4 million.

The Chair:

Did we final vote that last Wednesday?

Mr. Ferlo:

I thought the one bill of 4 million, we took money out of CD and/or capital.

Mr. Onorato:

No it was amended last week it is all bond.

You have four million.

Mr. Hertzberg:

My mistake. I understand.

Mr. Ricciardi:

Mr. President, on 1309 before we get into a long detracted dialogue on the other one, Mr. Hertzberg, on 1309 the \$200,000 is that the money that is probably in all likelihood going to CitySource to clean some of our vacant lots?

Mr. Hertzberg:

Yes.

Mr. Ricciardi:

The question that I have, Mr. O'Connor, and I am very pleased about this money. During the budget I recall when the URA was at the table and I asked URA because they zeroed out their funds for lot cleanup for their properties that they own throughout the City of Pittsburgh. So those are URA lots. So just as a side note, I think we're going to have some problems come up, because we continue hopefully to do a fine job on our lots. But I would like maybe Mr. Hertzberg can come before us next week and just let us know what the URA plans on doing with their vacant lots throughout the City of Pittsburgh because this money should not be cleaning up URA lots. This money should only be cleaning up three taxing body lots. Am I correct, Mr. Hertzberg?

Mr. Hertzberg:

I am not sure.

Mr. Ricciardi:

I think I am. We can have better clarification for next week. Thank you.

Mr. Ferlo:

I will let Councilman Onorato go first, but I have an amendment that is conflicting with Councilman Onorato if he wants to go first.

Mr. Onorato:

Considering I was the sponsor of the bill I appreciate that. I would like to first state that when I introduced this bill over two weeks ago and I think actually the wrong bill is in front of us. I amended by substitution last Wednesday and it

should be just city bond money, which passed unanimously. But we're going to amend it today anyway.

If you recall, the procedure that we just agreed to was last week we took a final vote on increasing the appropriation the four million dollars for street paving. We took a preliminary vote on the funding of the four million dollars which was all bond money being relocated. But that was after a previous week of debate. We are now probably at the 15th day point where I proposed the amendment of increasing street paving by four million dollars. I have been asking colleagues or anyone to come up with a different amendment or make adjustments to my amendment. Then Council President O'Connor and some of the members last week asked me to sit down with the administration to see if I could come up with some kind of compromise.

I took you up on that and on Friday of last week I had a meeting with Deputy Mayor Cox and they agreed, me and the administration, agreed to four million dollars but in a different funding source. But before I present that amendment I do want to comment on the procedure. I think this is why the communication between the administration and Council falls apart. First of all this was not being ran through by me. I think all my colleagues would agree, I have been very receptive to holding it and trying to coax everyone into the debate and coming up with their own options. But two things happened in the last two days.

One, I have an internal memo here from Director Fred Reginella to Executive Secretary Tom Cox. It's one I want to read one sentence. It is the second sentence

here. We find Dan Onorato's proposal to take monies away from various capital programs totally absurd. Now to have that kind of a comment from a director after I spent almost three weeks working with the administration, working with my colleagues to try to get discussion on trying to debate if we should do more streets, I don't think that's an absurd concept. I also wonder if the director thinks that Deputy Mayor Cox is absurd now since they're agreeing to the four million dollars? I would like to find that out. But to have that put into a memo about a colleague who is seriously debating what our streets should look like is totally out of line.

I will be talking with the director about that, and this was c'd in all across the city which I really don't appreciate. That's number one.

Number two, there is an editorial today I can't even blame the paper because obviously they had a source from the administration which boggles my mind. I hear comments here basically saying that the road to fiscal hell is paved with good intentions ripping apart an amendment I presented two weeks ago that doesn't even exist any more. We amended by substitution, we changed it three different times already. But it goes on to talk about how if I do this, it would gut traffic signal maintenance. If I do this it will gut building maintenance, if I do this it will gut moving the Public Works out of Schenley Park. If I do this it will gut the federal mandate for the fueling tanks. The whole point of me identifying the money was that we were trying to decide where to take the bond money from.

In the mean time, on Friday I am

meeting with the administration, coming up with a compromise and the last paragraph reads and by the way, they quote anonymous sources from the administration. The last paragraph reads the wise thing to do would be for City Council to postpone action on the amendment and meet in committee with the Mayor and administration. What do you think we were doing? I met Friday with the administration and I agreed to this compromise. So on one hand they shouldn't be going around doing this and try to sabotage a debate when we are serious about this. We are very serious about it and very disappointed on how this played out in the media. With sources being leaked from the administration at least that's what it says here, Murphy administration officials say. They're quoting someone in the administration. I don't know who that is, but I would hope that maybe they can spend some of this money and fix the leaks over there on the administration's side, because it doesn't do anything.

Their directors better watch the memos they send out. Because if they think moving \$4 million out of a \$52,000,000 budget is absurd, maybe they think it would be absurd if we eliminated a few of these departments, which I wouldn't hesitate to do if that is how they want to operate. If I have directors calling me absurd, I have no problem with looking at our entire budget and putting it out and seeing if we can get a better deal if that's what we are going to do here.

But the compromise that we have from the administration, and procedurally what I am going to ask which I said I wouldn't do, but I will as a courtesy to me colleagues. Tom Cox the Executive Secretary suggests that the \$4 million

come in three categories.

One, a \$1,750,000 out of capital equipment acquisition. Now already colleagues have been lobbied and I think people have been frightened by the silent campaign that if we do this you won't be able to clean your streets because you won't get street cleaners. There is over \$4 million in that account and if we take a million seven out, I think the debate that we have to have is what do we not purchase? And that's why I am going to ask procedurally during my debate here to recommit to review that list, to see what equipment we shouldn't purchase, if we choose to do this line item.

They also decided to take \$250,000 of recommending out of Engineering and Construction personnel. Remember this is coming from the administration not from me. So I assume there is probably excess bond money in there, there is a lot more than \$250,000, but they are saying \$250,000 of bond money from Engineering and Construction personnel for a total of two million.

The other area, which I would agree with the administration's since they are proposing this is that there has been this discussion that we are not touching the fund balance over a certain level. The administration is anticipating on May first when the CAFR comes out that the fund balance is going to be up well over two million an additional two, and that we take the first \$2 million and use that cash and put it into street paving. So that \$2 million added to the previous two million will be the four.

So \$2 million relocating bond money, and two million of cash reserve in

the fund balance after the CAFR verifies that the increase is there.

I was going to originally amend by substitution and call for the vote on this today. However, I will be willing to recommit. Councilman Ferlo put it into a corresponding amendment today which is fine. Half of it is the same as the one I put forward which is two million from the fund balance and another two million from the hot and metal bridge, which I am not sure is even there. But if it is, I have no problem debating that either.

But I would like to recommit this with the understanding that between the meeting with the Mayor on Friday and any colleagues and this one we have in front of us from Councilman Ferlo, that we agree on what exactly we take the two million bond money from tomorrow. And then have it finally voted Tuesday and we will have the four million. The bottom line though is the administration is agreeing with Council moving in our direction to put \$4 million more into street paving. That's the real story here. We're now coming down to the final piece of okay what two million of bond money do we move.

I have always said I would be flexible on that. I am not tied to any one line item. If we have bond money that we can all agree on and have consensus, that's fine. Let's just do it. So at this point I will open it up for debate, but at the end of today I would like to make a motion to recommit. I am not going to amend today I will do it tomorrow.

Mr. Ferlo:

I think it's incorrect to say the

administration agrees to anything. Because I don't think they agreed to anything. I think basically the administration --

Mr. Onorato:

I have a letter here from Mr. Cox in writing.

Mr. Ferlo:

I understand. I am saying what I think really is happening versus what either the posturing is politically or other wise. I think what is really happening is the administration feels they have a gun to their head and the majority of colleagues want the pavement account increased by \$4 million. And they're counting over here and if they count right and there are five people that are insistent and adamant that it be increased to the four million that is what they're dealing with.

So I think it is more appropriate to say that they feel they have a gun to their heads in terms of majority vote of Council, and now it is the painful struggle deciding where the four million is coming from. I had proposed last week and I still thought it was a good suggestion in all do respect to the good work of Councilman Onorato. If there was going to be a committee going over there, I think it needed to be more diverse than one colleague who is headstrong on this issue of the four million which is fine. But if we're going to get to a consensus, it has got to be a committee with some diverting views; that didn't happen. I am certain Mr. Onorato may feel strongly about the four million and --

Mr. Onorato:

I didn't form the committee.

Mr. Ferlo:

And his proposal on the floor was to cut some things both CD and/or capital and that's fine. I don't happen to agree with those accounts, Councilman Udin made a different proposal, I have yet a second or third suggestion today by way of my amendment. I think the problem is if we don't get a shared consensus building over there it can't be just any one colleague, it shouldn't be me going over there individually, it shouldn't be Mr. Onorato, it shouldn't even be Mr. Udin as the Finance Chair.

So, unfortunately we are back in the same pickle and predicament. If we're going to increase the asphalt account by the \$4 million, which I am still not even convinced that we need to do, but if that's what the majority wants to do, then I am very concerned about where the four million is going to come from.

My suggestion, which I would at least put out on the table for discussion tomorrow, is that we do partly what Councilman Onorato and the administration suggested. That we take at least the two million of the unfunded, basically of the annual fund balance, which is perceived to be an excess of the fund balance that we used for budgeting purposes for the '99 budget. But I would say we take two million dollars from the hot and metal bridge project on the basis that we're spending upwards of 15 to \$16 million for a new bridge across the Mon. I don't think it is unreasonable to suggest that either the University of Pittsburgh kick in a million or the state government kick in a million or two.

So my proposal is that two million come out of the hot and metal bridge project. As far as my argument with the state government, there is a tremendous state surplus, the administration promenaded around Governor Ridge for his re-election. I think we should call on a chip that says a bridge that is going to connect two state routes, Carson Street and the Second Avenue. They are both state government operated routes of vehicular traffic so we're putting a new bridge that is going to be a connecting, that is going to be a major connected bridge between two state routes of Second Avenue and the West Carson Street and East Carson Street corridor. I don't think it is unfair that if we are putting up 14, \$15 million that state government kick in a little bit.

So I would like to throw that out also for tomorrow's discussion as an alternative. But I can't support the issue of the cutting of the garbage trucks, which I believe is part of this proposal and the street sweeper proposal. I think the whole street sweeping program needs to be re-looked at as Councilman Hertzberg has pointed out. But I don't think the answer is necessarily to gut the fleet. I don't think there is more than eleven or twelve operating sweepers right now. Last year at least in my district and the eleven years that I have been here was the worst year for street sweeping or lack thereof. I don't know why, I don't know if it is equipment, I don't know if they are taking on more areas now because of other colleagues complaints, but it has come at an expensive street sweeping cleaning effort in my Council District noticeably this past year.

I also think we are sending the

wrong message about the garbage fleet. The administration still has not engaged in a win, win strategy with the union on getting a contract finalized. They are still picking on this union as far as I am concerned. I still don't know if they still have privatization on the back of their heads as far as the environmental service workers and fleet? Now for us to gut some of those trucks I think it is sending the wrong message.

I hope it gets recommitted today and I would ask that my colleagues consider the two million, two million proposal that I have offered.

Mr. Cohen:

Thank you, Mr. President. The reason that I support a significant increase in street resurfacing money is just because of what has happened in my district. That is there are streets that were not paved last year and streets that were paved and that are breaking apart right now and we certainly had a long discussion about that last week. Walnut Street happens to be the most obvious example because it's a primary road but there are many others in my district as well.

I support an increase, a significant increase in street resurfacing for 1999 because it's a core function of city services. If we can't provide that core function in a quality and professional way, then perhaps there are no more important things other than Public Safety, street resurfacing and the major core functions that a city does. So I remain flexible as to where that money comes from.

I think the administration's proposal that I have just heard through

Councilman Onorato sounds like a good proposal, particularly if we're going to have an extra two million dollars in fund balance that we didn't expect to have. That seems to me to be found money. Maybe it is not, it usually isn't but it certainly sounds at the moment as if it is. So I am flexible as to how we do it.

I thank Councilman Onorato for putting this forward and on the issue of the letter that Councilman Onorato got from Director Reginella I do have to weigh in on that one and that is that, that is just improper and an inappropriate letter. There is somebody down at Engineering and Construction that has an acid pen. I have been getting letters probably the last year, letters from Engineering and Construction that say that reasonable requests by residents in my district some how are absurd or irrational. We need to have a discussion with Director Reginella and make sure that that kind of thing is not put in a memo to a member of Council or frankly to any resident of the city. If it is a request to city government then we have to address that request. If the director doesn't agree with it, then you say you don't agree with it. You don't engage in character assassination or use adjectives that really shouldn't be in any kind of memo like that.

I think we need to talk to Director Reginella about that issue and go ahead with street resurfacing.

Mr. Hertzberg:

Thank you. There are certainly questions here and I am glad Councilman Onorato is recommitting. We need to do that. We need to find out what would be the effects of the latest amendment. I am certainly concerned if we are not going to

be able to get the appropriate refuse equipment there is no doubt in my mind that we need to replace some of the refuse trucks.

The hot and metal bridge we need to get some more information on that. My information is that the contracts have already been let, the bridge is pretty much at least halfway through the rehabilitation already and the money is probably already encumbered. These are the kinds of discussions that we can have tomorrow.

I stand committed to increase the amount by \$4 million and finding some way to do this. I think we can find a way to do this and not harm some of the other important capital expenditures.

Mr. Onorato:

I just had to take a few issues with Councilman Ferlo's comments. And one is I have lead the charge in the past and I continue to support the funding for the hot and metal bridge as much as we can. But I think Councilman Hertzberg might be right here. If we can't do it, if we can't do it, if we can, I have no problem doing that. But I take exception to the fact that the committee has to be more than one person. I didn't go over and do this on my own. I took the suggestion the Council President, I have been asking for 14 days for comments from my colleagues. I received absolutely nothing except from Councilman Ricciardi who initially said he had a problem with two line items right after I introduced the first one.

The committee could have been all nine of us as far as I am concerned, but there was absolute silence. And for Councilman Ferlo's amendment I got it

here today, sitting here at the table and he passed it around. If he would have talked to me earlier, and if the hot and metal bridge is available money, I have no problem with doing that either. I don't mind taking it from there. Everyone that seems to think and tried to imply that I am doing a side deal with the administration is ridiculous because the reason they are at the table is because we had five votes.

My colleagues supporting my amendment is what gave me the strength to negotiate here because they see that we do have the five votes, no doubt about that. But I don't want anyone to think that I went over there as a single member committee, I went over there because I was the only one doing it. Anyone wants to join me, please come on. I have been asking for 14 days for a response from people. I also want to point out no where did I say we were defunding environmental services or defunding street sweepers. There is capital equipment acquisition line items there to be lowered by a million seven. There is four million in there to start with. The reason I am recommitting is because I said from the very beginning I want to see what is on the list of purchases and what they're saying they are not going to purchase. It is more than just those two departments. There is also other capital equipment here in public safety. I mean I don't know what they're proposing to cut that's why we're recommitting.

I don't think we should get into scare tactics to try to win over a particular line item until we actually see what it is. I mean it happened last week where community groups someone spread the word that they were defunded, which wasn't true and they went nuts. But what

we said from the very beginning is we can't have it both ways. If we're going to fund streets and do it, we have to take it from some where.

I am looking forward to any friendly amendments where to take it from. I believe we now have two, three, four good options tomorrow and let's take it from the bond money. I don't care what account we take it from as long as we can get five votes. My whole goal here is just to do more streets, to double it. Hopefully we can have a consensus tomorrow that the administration will also agree to spend the money. We start doing the streets for what the taxpayers of this city deserve and not try to sabotage any amendments regardless of who it might be tomorrow because there might be a new one on the table based on just one funding line item.

As Mr. Ferlo has eloquently stated over the years that I have been here no matter what we allocate today it's just one big checkbook we can reallocate it tomorrow from some where else. That \$29 million in bond money can be moved from any account at any time anywhere. He knows it as well as I do. He knows that capital budget well and well one day you might not have a million seven in capital equipment and leasing you can put it back in the next day from some other account.

I really don't care where we take it from as long as we put four million dollars into street repaving. I look forward to the debate tomorrow.

The Chair:

Okay. Again I want to thank you for not only taking the leadership in this

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Mr. Onorato	Mr. Ricciardi
	Mr. O'Connor
	(Pres't)

AYES Seven **NOES** None

Bills have received the legally required number of votes and have passed finally.

Mr. Cohen:

Mr. President, I would like to first vote aye on the recommitted bill that was just a moment ago.

MR. RICCIARDI PRESENTED:

Bill No. 1389:

Report of the Committee on Parks, Recreation and Youth Policy for March 3, 1999, transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1356:

Resolution amending Resolution No. 626 of 1998, effective November 5, 1998, entitled "Resolution authorizing and directing the Mayor, Solicitor and the Director of Parks and Recreation to enter into a Lease and Agreement with the Boys and Girls Club of Western Pennsylvania, in connection with the construction, maintenance and operation of a

community recreation and park facility in Leslie Park, 9th Ward, City of Pittsburgh" by changing the terms of the Lease and signatures to the Lease. (**SPONSORED BY MR. FERLO**).

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Ferlo:

Thank you, Mr. President. I want to thank my colleagues for supporting this resolution, which further clarifies as requested by the Law Department a resolution that we did approve late last year. This would facilitate tremendous opportunity for not only the Lawrenceville community but young people throughout the neighborhoods in and around Lawrenceville. This is a two half million dollar plus construction of a new multi purpose youth center in Leslie Park. It is being done in the most sensitive way in terms of the esthetics of the park with minimal reduction of open space and trees and the open space ambiance of the park.

It's going to be a major boom to young people in the community. I want to applaud the Boys and Girls Club of Western Pennsylvania as well as the anonymous contributor of over \$2 million for this tremendous gift. With this final resolution, we will move quickly to finalize the lease.

I would ask that the President and all of my colleagues please attend the groundbreaking, which I hope will be in

the next few weeks when the weather breaks. So thank you very much.

The Chair:

Thank you. I want to echo your applause, I think for not only the donator, the Boys' Club, yourself. I think this can be a role model, actually a model for the rest of the city to follow. Hopefully it is a great addition to the Lawrenceville community, and I applaud you for your efforts.

Mr. Ferlo:

Also, it does open up two other projects that the Boys and Girls Club will be working on. The School Board I believe last week voted to approve a charter school proposal by the Boys and Girls Club. It will turn the present Boys and Girls Club location at 45th and Butler Street into a unique charter school for 120 young folks from in and around the Lawrenceville community. The school would specialize in computer sciences and job opportunities with a high degree of corporate involvement and sponsorship and mentoring of the high school students at this charter school.

As well the Boys and Girls Club is contemplating a rental of an abandoned building on Carson Street a half a block from 45th Street, that used to be a five and dime. It's going to possibly be a major outlet mall within this building for major clothing projects. I don't buy all those clothes, but like 501 Jeans and all those kinds of things that kids buy. But it's an exciting project that actually will have young people become entrepreneurs and learn business principles by actually running and engaged in a direct for profit business.

The Chair:

Teach them how to sell clothes instead of buying.

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. O'Connor
	(Pres't)

AYES Eight NOES None

Bills have received the legally required number of votes and have passed finally.

Ms. McDonald:

Yes I had to leave the room for a minute, Mr. President, may I please register aye votes on all the bills under the Committee on Planning, Zoning and Land Use as well as an aye on recommitment of Bill 1357? What other committee did I miss? And one other bill in Public Works, register an aye vote on Public Works. Thank you.

MR. DIVEN PRESENTED:

Bill No. 1390:

Report of the Committee on Public Safety Services for March 3, 1999, transmitting two resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1300:

Resolution authorizing and directing the Chief of Police and the City Solicitor to prepare and submit to City Council a written assessment and evaluation report regarding the City of Pittsburgh's purchase and installation of video cameras on or in police vehicles operating in the City of Pittsburgh. — **(SPONSORED BY MR. FERLO)**

Which was read.

Also,

Bill No. 1314:

Resolution providing for a contract or contracts or use of existing contracts for the annual program of the Police and Communities Together Program, at a cost not to exceed \$15,000.00 from the Public Safety Police Miscellaneous Services account fund 1000, org. code 230000, sub class 150, budget year 1999. — **(SPONSORED BY ALL COUNCIL MEMBERS)**.

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Mr. Ferlo:

Thank you, Mr. President. I want to thank my colleagues for supporting this resolution, to be kind of a fact finding on this whole issue on the installation and operation of video systems in our police squad vehicles. I very much favor this. I know it is going to be somewhat a cost item. I would estimate three or four hundred thousand dollars to do our fleet. We could possibly pay for that long term through the equipment leasing authority. We have a lot of professional folks in-house in our repair shop. I think they could help reduce the cost of the actual installation. But before we actually move towards that, this 120-day fact finding by the Chief and the Solicitor and also I think Director Costa should be involved in this issue also and possibly other city departments.

But I think the issue of installation of videos in police vehicles is a major safety factor for our own city police. I think that individuals are engaged in criminal misconduct I think it will aid in the prosecution of those individuals who are engaging in this conduct who may have interaction with the police having been stopped. I think it will help inquest boards, and I think it will help the prosecution of individuals to follow up in terms of jury trial or court of law as well in the few instances that there might have been allegation of impropriety on the part of an officer. I think it would also possibly help clarify some of those issues.

For all those reasons I think actually the long term it is going to be more cost effective even though it looks like a big-ticket item of three hundred, \$350 thousand. In the long run I think we

will actually possibly be saving money in terms of lawsuits and pain and suffering that goes on as a result of problems that ensue from stops with police vehicles at times.

But the information will be exhaust of review of all the different laws locally and state that we need to be concerned about. Review of the vending community what is out there in terms of those that would be likely competitive bidding for this video equipment. What is best state of the art technology, number of police bureaus and sheriff departments have already installed these systems in the last five or six years. We can learn from their experiences. There are different ways to do it. There are higher levels of video installation that include side mounts as well as rear mounts in addition to the front video view system. Whether or not we want to work to advocate a change in law in Pennsylvania so that there can be audio with the video. Right now audio is not allowed under state law, as opposed to just the video. Whatever police training would be needed record storage, tape storage issues that will come up.

Again, all of these kinds of issues will be reviewed by the Chief of Police. I want to thank him for his cooperation in complying with the request that is contained in this resolution. But I hope come budget time we will actually have a report that we can then debate in terms of the actual appropriation for the year 2000. Thank you.

Ms. McDonald:

Yes I want to commend Councilman Ferlo for this piece of legislation. It's something I think has been

talked about and talked about. It would be nice to have actual concrete information be brought forward to Council so that we can have an intelligent dialogue as to whether we would like to set this in as policy.

The one concern that has been raised many times is the cost. In answer to that since I do want -- I have always wanted to have a pilot program of video camcorders in the cars, not necessarily on all vehicles but at least have them on some vehicles so that we can ascertain the effectiveness. We can assess the cost that would be involved, the cost that the administrative cost that often times are not evident in the public discussion such as storage that the chief has talked about as well as other hidden overhead types of costs.

I would like to have the administration not just to come back with recommendations and information regarding all of the police vehicles, I would also like an alternative that would be a pilot program where some of the cars and then maybe even to have a plan as to which cars it would be? Which runs, maybe not have one officer be in charge of the vehicle that has the recorder on there but maybe spread it out so that each officer has opportunities to have a car with a recorder in it. I think that that would help to keep a check and balance not only on the officers actions, but as well as citizens actions since they really don't know what is going to roll up on them whether it be a car with a video cam.

I applaud Councilman Ferlo's legislation. I look forward to the dialogue but I would hope that the administration would come forward as soon as possible on this issue.

The Chair:

Do you know the 350, how many that will buy?

Mr. Ferlo:

I am going by roughly 120 to 140 vehicles that would have to be retrofitted.

The Chair:

It's amazing why we are so far behind on this stuff. Again you watch television California, Arizona, whatever they have had them for years. I just see this as a win, win. This is probably the cheapest investment we will ever make just looking at either the lawsuits in the past or potential lawsuits and again the safety of the police officers. I am sure someone who may want to do something even wrong knowing a camera is on them would think twice too. So I see this as a very positive move in the right direction.

Again, let's keep on -- I will ask Mr. Diven to make sure he keeps on the administration and Public Safety to get these in as soon as possible. I want to commend you for bringing it forward.

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen

Mr. Diven

Mr. Ferlo
Ms. McDonald
Mr. Ricciardi

Mr. Hertzberg
Mr. Onorato
Mr. O'Connor
(Pres't)

AYES **Eight** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

Under motions and resolutions, just to show that the administration does pay attention to us. It is the pleasure to put before you the authorizing appointment of Duane Ashley for Parks and Recreation.

MR. O'CONNOR PRESENTS:

No. 1391 A Resolution authorizing the appointment of Duane T. Ashley, 218 North Graham Street, Pittsburgh, PA 15206, as the Director of the Department of Parks and Recreation.

MS. MCDONALD moved to approve the resolution.

MR. HERTZBERG seconded the motion.

Mr. Ferlo:

Discussion. Obviously I am in favor of Director Ashley. But I think as a procedure I would like to have an opportunity to have him come to the table. I would like not so much on his appointment because I am obviously in favor of the appointment, having spoken and lobbied for his appointment. But I do

think we should take the time to have some discussion.

There has been at least a two or three year gap in not having a director in that department, there are a lot of morale issues. I want to understand the director's role in the future as it relates to being an advocate for the Parks Department. There are too many things that have to do with parks that have been delegated to the Planning Department. There are issues about our rec centers and our fields, I think it would be healthy and helpful to have a discussion. I don't believe it should be in the context of we are going to either approve him or reject him. I have already made it clear I am very pleased that the Mayor agreed to pick the best talent. I think Dwayne will be a great director. It is our opportunity to talk about a number of issues in the Parks Department.

The Chair:

We can certainly --

Mr. Ferlo:

Or we can have a Post Agenda, whatever.

Mr. Cohen:

I think that would be helpful. It certainly wouldn't hurt to talk about important policy issues as they relate to parks and recreation.

I want to commend the Mayor for making this appointment. In the dealings that I have had with Dwayne Ashley over the years it's always been professional he's been very responsive and I think that he would do an excellent job as Director of

Parks and Recreation. I know that every member of Council agrees but I just wanted to say in my own personal experience on issues and I could go through six or seven issues. I have had to deal with him in the last few years; he has always been very responsive and very professional. I am sure he will bring those talents to the job of director. I am very happy for the appointment.

Mr. Diven:

I would just like to follow up on what Councilman Ferlo said. I think it would be a good idea to bring him in front of Council just so we can talk about his complete picture of where parks and recs need to be going and our facilities.

I had the opportunity to sit with him for about 45 minutes yesterday afternoon. I got to say he has got some really exciting ideas but I am sure as the Parks Director he can't do it alone. By having him in front of Council we can hopefully start a dialogue of where he needs the support and where he needs our help to go after the additional resources to really take it to the next level. I think a lot of times when we have him in front of Council we are going issue by issue and we can't see the whole scope. I think it would be real helpful too.

I know that one of the things that we discussed in our meeting yesterday was potentially going after some state funding. I talked to him about the work that we have been doing with our local delegation to try to build a relationship so that we can go after state grant funding or reoccurring funding. I think one of the areas that we're -- I think we can have a tremendous boost to our financial picture would be in Parks

and Recreation.

I think getting Duane at the table and having him talk about the complete picture and where we want to go and how we can use our resources to make sure that he has the appropriate funding levels to make that happen? So I think that's a fantastic idea and I think that I am sure all of you will be impressed with the direction he wants to take the department. I think that we have got a great opportunity but it is up to us to capitalize on it.

Ms. McDonald:

Yes. I would like to commend the Mayor for making an appointment of someone I would call homegrown in city government and city administration. Someone that's come from up through ranks and it is something that I think is an added dimension to the selection of directors that he has and we have fine directors. And Duane Ashley will make another fine director.

I have no problem with confirmation but I would ask that his confirmation not be mired in our discussion on what our vision is. I mean come on we can ask Mr. Ashley to come to the table and talk about his vision, but ultimately it is going to be our vision. There are going to be nine visions that he is going to have to, you know, get together and try to make sense of and try to move ahead. So actually it's going to be our frustrations, our visions, our concerns and that's not part of his appointment. That really should not be part of his confirmation.

I would suggest that we have him before us to make if you want to have a

confirmation fine. I prefer that we confirm him now and then as Councilman Ferlo suggested have a Post Agenda to give adequate time so we can give our concerns to him and try to hash out a vision and see what he has on his mind. But I would prefer that we confirm at this time and schedule a Post Agenda so that we can really get into the details of what we would like to see for Parks and Recreation.

Mr. Ferlo:

I don't agree with that. The problem is it is not nine things, it's one thing. He is the director, we are paying him a significant salary and I want to know that he's going to take charge. The Mayor's style is to give these directors a lot of latitude. We have had a gap for the last several years and I think it is important that he understand that this Council is confirming him and that we are squarely behind him but he himself we're not going to go out and raise money. We can be helpful in that process. We are not going to be able to critique the performance of staff in the various departments. We are not going to -- I mean that is not our job and function.

I would like to know from him by way of the confirmation process that he's been given a green light. I want him to be a powerful, strong independent director and advocate for the park system. I want him to say to other directors that have parks issues, hey I want to be in the loop. Why is every time I am involved in an issue at least in Highland Park it seems like there are four other departments that are involved in it and not the Parks Director? I would like to know that he has been given the authority and the respect as the new director to take back control. I

would like to have him at the point of center of the RAD funding issue on the four regional parks of what is going on in forestry, on the master planning a lot of other things. I mean the City Planning Department is running the Parks Department other than maybe the rec centers and that's not right. The planning should be involved but the Parks Director should be identified as a highly visible person and we have a high visible person.

I would like to know that that person is going to be out in the private sector and in the non-profit community is going to be projected as a leader of the park staff. They badly need a morale booster in that department. I would like to know that he is going to be relegated on equal par with the Planning Director and the Engineering and Construction Director and everyone else. I personally would think that that is a helpful process for him to come before us. I will go by the wishes, I am already obviously voting in favor of him, but I will abide by the wishes of the majority.

The Chair:

Let's ask him to come in front of us. I would ask one or both the Deputy Mayors to be there to show support for him. And exactly what you said if he's going to be given the green light and given a responsibility that we know he can handle. I think that's a very key point who is running the parks and what we can do?

Mr. Diven brought up a good point can we help? Where are our lobbyists and let's bring some money home for our parks. So there is a lot to be discussed. I think I know there is no doubt that he will get the appointment, but if we can bring

him either tomorrow or next week with his plan of action.

Ms. McDonald:

In all do respect. You can do it that way, but I am just giving you a sense of reality. You're going to have a Post Agenda in terms of a confirmation. That's what it is going to end up unless we respectfully decline a lot of the dialogue in terms of the details of our vision for everything under the sun in parks and recreation. There are tons of things under Parks and Recreation we can talk about. I would just prefer that the pre-standing committee meeting where we confirm or at least interview not be turned into a Post Agenda for an hour. It just doesn't seem right.

If you are going to really interview and confirm set a time limit where you know because we do this all the time. Set a time limit where we are not an hour or two hours into discussing and we have really just had a Post Agenda. If you want to a post agenda, schedule a Post Agenda. If you want a confirmation let's do an interview confirmation and nothing more. I would say to that we have never after interviewing not confirmed someone. I don't remember anytime I have been since November '94 and I can't remember one time we interviewed and then didn't confirm anyway. So that is what I am saying.

If we're going to have a one-hour or two-hour discussion, because we're going to confirm. So if you want to do it that way fine, but I will bring that to the table if there is a miniature Post Agenda going on. I think under the leadership of Councilman Ricciardi who Chairs Parks

and Recreation and who is in dialogue with Mr. Ashley if we want to have a Post Agenda, let's schedule that at a different time. You can do what you want.

The Chair:

We will I think at the request of Council members to bring him to the table. I think maybe it shows him respect to give him the opportunity to tell us what he sees. I agree with you, Ms. McDonald, let's not make it a nine member issue of all of our little park concerns, let him show us what he's envisioned for the Parks Department. So we will ask him to come either tomorrow or next Wednesday.

Under motions and resolutions, anything else?

Mr. Ricciardi:

I would like to take a moment. Colleagues, I think it is very important for all taxpayers in the City of Pittsburgh to realize what the true cost of the construction of two stadiums here in the City of Pittsburgh will be to their wallets. At the same time, I think it is very important to investigate and review all additional what I would say hidden costs to taxpayers in the City of Pittsburgh for the construction of two new stadiums. And in this case I think it's important for the water ratepayers to realize what the cost will be to their water rates here in the City of Pittsburgh.

There is no denying the fact that water rates here in the city continue to increase throughout the years and at times they have even sky rocketed. There is a resolution before me today that would be up for consideration by the Pittsburgh

Water and Sewer Authority on this Friday, Mr. President, and the Public Auditorium Authority and Allegheny County. Allegheny County the chief architects of Plan B Cranmer and Dawida will be coming before the Pittsburgh Water and Sewer Authority and asking for \$550,000.

Let me tell you colleagues I have been very involved in the budget of PWSA last year for this year. And that \$550,000 to date does not exist. That is not money that we have on hand, that is not money in our operating budget. We will have to give them \$550,000 of capital money. Capital money is borrowed money. Money that will not have to be paid back at \$550,000 dollars to the bond to people who have issued bonds here in the City of Pittsburgh and Allegheny County, but money that will have to be paid back both in principle and interest. That money \$550,000 next year will probably come out to a one percent rate increase.

I think it is very important for people to realize that next year when you get your water bill, the PWSA water bill, and there is an increase in there, you can take that 1% increase and you can thank the chief architects of Plan B, Dawida and Cranmer and Murphy. Thank you.

By the way, I will be opposing resolution 41 on Friday. I might not even be able to attend the meeting, but I will not be supporting it or voting for it. Thank you.

Mr. Ferlo:

I just don't want a big scare to go out, and I want to try to understand the full information. First of all we need to move ahead with Plan B and the construction of

the stadia as well the Convention Center. And I don't know if the Convention Center is a different part of this funding scenario that Councilman Ricciardi spoke about or not, but there should be an investment made including by the Pittsburgh Water and Sewer Authority. But I don't see why they can't make sure that over the 20-year life of the construction of these buildings including the Convention Center, and I have spoken about this in the past. I don't like the fact that PWSA has a flat rate for everyone no matter who you are.

I would ask strongly that if there is an investment being made by the Pittsburgh Water and Sewer Authority in capital funds or other wise that to the extent that the water bill is paid for by the football stadium, by the baseball stadium or the Convention Center, that it be an equal amounts paying off whatever contribution of support is made by the Pittsburgh Water and Sewer Authority. Even if it means a different rate than a residential ratepayer.

I think this should be a win, win for everyone. It should not be a burdensome thing where the overall rate structure is effected by this investment. But let's be honest the Pittsburgh Water and Sewer Authority in addition to a kickback to the city operating budget has been subsidizing the construction of new houses and commercial activities for the last decade that I can recall to the tune of million of dollars. I don't think it is fair to say now that there should be a different principle applied to the construction of the stadia and the Convention Center.

I would only ask that the prudent thing to do is to make sure that the reimbursement of their future water bill is

commensurate and equal to the debt service commitment made by the Pittsburgh Water and Sewer Authority, Dawida or no Dawida.

Mr. Ricciardi:

I think that's a very good idea that Mr. Ferlo has raised and I am going to contact the appropriate officials and I hope they amend this resolution that \$550,000 eventually should be PWSA should be reimbursed for this money.

Mr. Ferlo:

It is not only just reimbursement, if these are expanded and approved I would assume they are going to be utilizing more water. So I would hope that we are not just talking about just a wash, pardon the pun. But we are talking about money coming in from these three entities that should be paying more money to the Pittsburgh Water and Sewer Authority and generating more income in revenue and water rates to the PWSA.

Mr. Ricciardi:

I hope that would be correct, Mr. Ferlo, but it is very questionable if there is going to be more water being used on site than there is now. All I know is the facts are very clear \$550,000 that's going to be used from bond money repaid by principle and interest. And this, one cannot deny the fact that even setting aside your concerns and hopefully that would happen, which I doubt because of the special interest groups that are involved. PWSA ratepayers will experience an increase in their rates to a tune of at least 1% in order to make up this \$550,000. And I think that is wrong.

No time did Mayor Murphy, Commissioners Dawida or Cranmer stated that they are going to be using ratepayers money in order to accomplish the construction of new ball fields in the City of Pittsburgh. Matter of fact, the Pittsburgh Pirates have just given a \$500,000 signing bonus to an athlete to sign on with the Steelers. They just gave away a \$500,000 signing bonus to an athlete then they turn around, the architects Cranmer Dawida Murphy turn around to the PWSA people and they need 550. It's interesting why didn't the Steelers just use that I mean Pittsburgh Pirates just use that \$500,000 to take care of their own sewer lines. Isn't it interesting? It is just an offset, just a coincidence give a way \$500,000 signing bonus, oh we are short now \$550. Maybe the ratepayers can take care of it.

I think next year the ratepayers will be smart enough to realize that when their rates go up, 1% of that can be put at the doorstep of Commissioners Cranmer, Dawida and Mayor Tom Murphy. Thank you.

Mr. Ferlo:

I would like to flush out the argument a little bit more because the fact of the matter is you have two stadia not one. They have to be utilizing more water, you have an expanded Convention Center and thanks to the Hertzberg amendment, there are going to be twice as many ladies rooms and bathrooms as opposed to the present stadium, which is hopefully going to be the case.

I would strongly ask that whatever the math is this should be actually a revenue generator for the Pittsburgh Water and Sewer Authority. It should not come

as a burden and I hope they get millionaire ballplayers because we have a player's tax now and it is more money for the Parks Department.

The Chair:

I certainly would not support any of our -- any one in the City of Pittsburgh paying more water rates for any stadiums or Convention Center. I certainly would ask that you look into what Mr. Ferlo just said, we are building two stadiums, doubling the Convention Center. Hopefully expanded restrooms will mean a lot of flushes so that that who pays the water bill but I know -- I know where we can get \$550,000, this is very serious, where is Pitt. They're going to play at this new stadium what is their rent and who is going to get their rent. That money better go into our coffers or to pay for the stadiums before any city residents pay anything whether it be Pitt or anyone else.

I don't want to pick on Pitt, if Duquesne uses that stadium, if they need 500,000 more and they're going to rent it for the university, which I strongly support to use that facility, and they will probably - the University of Pittsburgh may use the restrooms too, the water bill will go up. That water bill should pay for this \$500,000 with the rent.

I think that should be a wash or a flush and make sure no one in the City of Pittsburgh pays any more rent or water bills. In fact I don't know if you guys, the last I supported this and maybe I am getting beat up pretty bad besides the streets, the next thing hitting everybody is their water bills. I didn't realize, I didn't see any I thought we were raising commercial and hospitals and universities,

but everyone is going crazy over their water bills these estimate rates, hopefully Mr. Ricciardi you will look into that too. By going from three months to one month, and what they are projecting, I have had four or five people show me their bills people are carrying them around including my wife saying what is going on. So, let's take a look at that. Definitely don't pay for any stadiums out of our water bills.

Mr. Cohen:

It has been a wide-ranging subject that's for sure. Just on the issue of the two stadia and who is going to be paying for what when it comes to leases. When it comes to parking, gate revenues etceteras, I just want to make it very clear that that issue has not been settled, that the lease agreements are being negotiated. I raised at the last public Auditorium Authority Board meeting, five issues from those lease agreements that I felt were not protective enough of the public. They are negotiating those leases, they are going to come back to the Auditorium Authority and that includes issues like the revenues that are going to go back to the public as opposed to the teams for gate, for parking, for concessions, etc.

If Pitt were to move to that stadium then that would be of course a big issue and University of Pittsburgh obviously should pay some part of that whole cost of the stadium. So I don't want the public to think that that's been settled it has not and at least I for one on the auditorium authority have been lobbying my four colleagues there to try to be tougher frankly in terms of protecting the taxpayer.

Mr. Ferlo:

I think Mr. Rooney already has that money spent from Pitt.

The Chair:

Before all these deals are finalized, let me ask you a question, the zoning change and things for the stadium will Council have any final word or action if these aren't appropriate rents? I don't mind Pitt paying, they should pay rent, but it should cover the cost of the stadiums, maybe the overruns. I just don't think it should go into any owners pocket until the taxpayers of Pittsburgh have put up enough the deal we saw on the table I will copy Mr. Ferlo's is a no brainer.

It is a win, win for especially the taxpayers of this city. I leave it up to you to be the lead because of your position on the Auditorium Authority not to be blindsided by any of these issues such as whether it be 500,000 or any other hidden cost to the taxpayers of the city.

Mr. Cohen:

Well, I was surprised when I saw the first draft of the lease agreements. Just to give you one example. We had been hearing that the two teams were going to be paying rent on the two stadia. And then I see when I read the lease agreement that any cost overruns on either of the stadia are going to be charged against the rent. So in effect they won't be paying any rent for years. That's just one of the issues that I brought up at the Auditorium Authority. You need to have an arms length negotiation with these teams and with the University of Pittsburgh should they go there and make sure they have a good lease agreement.

The Chair:

Pitt maybe the relief pitcher and come in and save the cost I guess.

Mr. Ferlo:

Put the University of Pittsburgh on the back of the tax rolls, all that land in Oakland.

The Chair:

On the University of Pittsburgh, I had one call from one business person that's in favor here, that's making a ton of money on the students any how. But if you move that stadium, the new basketball arena where the stadium is, I certainly think it would be more in the heart of Oakland. I have never seen anyone stop in Oakland for a coffee, beer or sandwich going to go a basketball game because it is way up on the Hill. So hopefully moving it down, there will be a lot more events and better for the students and the business community. So I think it is a win, win.

Mr. Ferlo:

Does Pitt have a basketball team now?

The Chair:

They have a little better than his school. We have a new coach and let's look for a better basketball program at both of our universities because I would like to look at an NBA team someday coming here but we better get some basketball teams college so that people can support them. A little bit more of a winning team.

Mr. Hertzberg:

I would to like shift our focus get back to what the city's -- our basic services one of which is refuse. I have an announcement from the Department of Public Works. We are asking residents because of the snowfall and some of the difficulties that our refuse vehicles encounter in the alleys that for tomorrow, people that normally have their refuse picked up on Wednesdays and if you usually have it picked up in an alley, could you please on this occasion because of the snow and if you are healthy and strong enough please try to put your refuse in the front on the main street rather than the alley for tomorrow. It will allow our refuse trucks to be more efficient with the snow that may still be in the alleyways.

Again, people that have refuse picked up on Wednesday if your able to please put it in the front rather than in the alleys.

The Chair:

Until they put the plows on the front and they are able to go up the alleys, we will honor that request.

Anything else?

Motion to excuse the absent member. Mr. Udin is out of town.

MR. HERTZBERG moved to excuse the absent member.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Motion to approve the minutes.

MR. FERLO moved to approve the minutes.

MR. ONORATO seconded the motion.
Which motion prevailed.

MR. FERLO moved to adjourn the meeting.

MR. ONORATO seconded the motion.

And on the motion made by Mr. Ferlo, the meeting adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXIII

March 16, 1999

No. 11

Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER..... City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, March 16, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

Will you all please rise for Pledge of Allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

We have an honored guest, Donald McClelland. He is eight years old in the third grade at Saint Basil's Elementary School and he is from Council District Three, Mr. Ricciardi's District. He's accompanied by his grandmother and grandfather, Don and Maryland, and his

Uncle Rick whose in EMS, Emergency Medical Services, for the City of Pittsburgh. Please lead us in the pledge.

Donald McClelland:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all.

The Chair:

Don, we have a flag of our city and country for you.

Before we bring our special guests up, I noticed some of you are pleasantly surprised if you will see the changes to City Council chamber. The flags of our sister cities which was the idea conceived and finalized by Councilman Ferlo, President Emeritus. Mr. Ferlo, would you like to explain a little bit about the flags?

Mr. Ferlo:

Thank you, Mr. President. I want to thank you and all of our colleagues for your support for a little bit of resources that we expended and with the good help of City Clerk Staff and John Mascio we were able to order an appropriate flag of the country. We have about nine sister cities at this point or City Council and/or the Local Sister Cities International Project have formerly recognized a sister city. We may well remember and as well our President traveled to Omiya, Japan, which is one of

our sister cities. This weekend coming up here we have a delegation from Cuba. The Mayor himself has been to several countries around the world promoting good will and economic development and cultural and exchanges between our two peoples.

I thought it would be appropriate and I think Council is pleased and supportive of having the country flags of our sister cities. Hopefully when a delegation visits us, if they are part of a ceremony here in chamber with the President and members of Council or the Mayor, we can appropriately lift up the flag of that particular country and put it alongside of our flag of our country and our state and our city.

We have a flag here from Bilbao, Spain; Omiya, Japan; Saarbrücken, German; San Isidoro, Nicaragua; Sheffield, England; Sofia, Bulgaria; Wuhan, China; Zabreb, Croatia; and Matanzas, Cuba at this point. It is our hope that as we add formal sister city resolutions and relationships that we will also ingratiate the chamber with additional country flags. I think it's festive, I think it's goods and I think it makes good sense for people to people relation. Thank you.

The Chair:

Thank you. I think it really added a lot to Council chamber.

Mr. Ferlo:

We don't have one for Ireland, Mr. Diven, and I believe we are meeting shortly with a delegation of the sister city locally. They have been working on a sister city relationship and I hope that that can be at least one of the flags. There are many

other flags I think we can add very shortly. But I would encourage all of our colleagues to assist the local sister city initiative and let's try to add some additional sister cities to chambers.

The Chair:

We certainly look forward. I had a small meeting with the delegation from Ireland and I know Mr. Onorato has been meeting with some delegation from Italy. And so let's pull it together and at least bring those two in soon. But thank you. It really is an outstanding plus to Council.

PRESENTATIONS

Mr. Ferlo:

Mr. President, we have a delegation from the Campfire Boys and Girls. If they would like to come forward, Mike and all the folks and Christopher Johns. We have one of the small kids here from the Campfire kids. I am joined here this morning with Danielle Bauer, Executive Director of Campfire Boys and Girls, Jill Karichko (phonetic) the Program Director, many of you know Mike Nichols here our own Public Works worker very active in the community and he is a program volunteer with this great organization.

This young man to the left all dressed up and decked out is Christopher Johns he is a Campfire kid and on behalf of the President and members of Council we want to give him the official city flag welcoming him here to chambers. I would like to read the following resolution. On behalf of all of our colleagues here on City Council.

MR. FERLO AND ALL MEMBERS OF

COUNCIL PRESENT:

No. 1392 WHEREAS, Camp Fire Boys and Girls, the national organization, will sponsor Absolutely Incredible Kids Day on March 18, 1999; and

WHEREAS, Camp Fire Boys and Girls has issued a call to action, asking every adult in America to write a letter to a child or children on March 18, 1999; and

WHEREAS, the Greater Pittsburgh Camp Fire Council in Pittsburgh, Pennsylvania teaches boys and girls self-reliance, good citizenship and leadership; and

WHEREAS, through providing interesting and innovating youth programs and by successfully serving as an advocate for youth and their families, Camp Fire Boys and Girls helps the young cope with an environments which may at times be challenging, but always evolving; and

WHEREAS, Camp Fire activities are all-inclusive, open to children of both genders, all races, religions and creeds; and

WHEREAS, Camp Fire Boys and Girls is commended and congratulated for the plethora of worthy programs it makes available to the young of the City of Pittsburgh and throughout the nation, and for the many services these young people perform for their communities through Camp Fire;

NOW, THEREFORE, LET IT BE RESOLVED, that the Council of the City of Pittsburgh does hereby commend all of those who help to make the Camp Fire Boys and Girls organization the success it is; and

BE IT FURTHER RESOLVED, that the Council declares Thursday, March 18, 1999 to be Absolutely Incredible Kid Day in the City of Pittsburgh.

MS. MCDONALD moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you very much. I want to provide this to our representatives here. Many of you may be aware that in addition to the Council's recent support for the construction of a new youth center in Lawrenceville for the Boys and Girls Club, there has now been a formal merger of these two great historic organizations that have provided services to young people for many decades. So both the traditional Campfire Girls and the Boys and Girls Club of Western Pennsylvania have now merged as two formal organizations now representing one great youth service organization. I am sure they will be working out all the details.

So we're pleased to have a delegation here today. I would like turn it over to the reps to say a few words about what this day is about and what we are asking folks to do.

Ms. Bauer:

Thank you. On behalf of Campfire Boys and Girls and especially our membership, the incredible kids that we do serve, we want to thank City Council for their continued support of Absolute Incredible Kid Day. But also of Campfire

Boys and Girls and I would also like to let you know this is Campfire Boys and Girls 30th Anniversary in Pittsburgh.

In 1969 Campfire Girls was founded and started with an office over in Allegheny Square on the North Side. So we have come a long way especially now with the exciting merger with the Boys and Girls Club.

So we would just like to ask everyone to take a special day, March 18th, think of all of our wonderful children, give them a thought, think of all the things that make them incredible, make them special and wonderful and put that down in a letter to them. Because we are finding out this is the third anniversary of this special effort and we are finding out wonderful things are happening when people write these letters and it is going to also be a keepsake for the children that you give it to.

We have given a packet of stationery and we have it here, I guess it will be handed out later to you so that you can write the letter with the stationery and give the sticker to a special child in your life. So we thank you for your support. This is the third year that you have supported this effort and hopefully it will continue. Thank you very much.

Mr. Nichols:

Thank you very much. I just want to say a few words. We do have a program up in the Hill District and hopefully we will have one in Homewood real soon and in other areas as well.

I would like to say thank you for what you are all doing and keep up the good work. Thank you.

The Chair:

We have one to be read into the record for Mr. Onorato.

MR. ONORATO PRESENTS:

No. 1393 WHEREAS the Ukrainian Selfreliance of Western Pennsylvania Federal Credit Union was founded on January 13, 1974 and celebrated its 20th anniversary on Saturday, May 21, 1994; and

WHEREAS the Credit Union has grown from a modest beginning into a sound financial institution. It concluded its 21st year with 988 members and assets of over 7.8 million dollars, and

WHEREAS, the year 1995 marked the end of an era. S. Michael Tymiak, who was President from the start of the organization, relinquished his position to Mr. George Baran. At year end the Credit Union had 1009 members and assets totaling over 8 million dollars; and

WHEREAS, in 1996 the Credit Union's steady growth continued. Membership increased as did loans to members; and

WHEREAS, In December of 1997 a new and improved computer system was installed with the required specialized programs for credit union operations; and

WHEREAS, in 1998 the number of loan delinquencies was reduced significantly through the diligence of the Board of Directors. Additionally, the Credit Union continued its goal of increasing the training of its office workers; and

WHEREAS, the Credit Union also joined the PA Credit Union League and entered into a mentor relationship with Parkview Community FCU. The 1998 year ended with assets of over 8 million dollars and a membership of \$1,181.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates the Ukrainian Selfreliance of Western Pennsylvania Federal Credit Union for providing services to the community for the past 25 years.

MS. MCDONALD moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Now move to presentation of papers.

MR. FERLO PRESENTED:

No. 1394 Resolution Further amending Resolution No. 781 of 1998 entitled, "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program: and approving the 1999 through 2004 Capital Improvement Program" by adding \$76,332.00 to various line items. ---
(SPONSORED BY ALL COUNCILMEMBERS)

MS. MCDONALD PRESENTED:

No. 1395 Resolution Approving the Amended Redevelopment Proposal dated

February, 1999, including Modification No. 8 to the Redevelopment Area Plan, for redevelopment activities in a portion of Redevelopment Area No. 12, Allegheny Center, in the 22nd Ward of the City of Pittsburgh (Council District No. 6). (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

MR. COHEN moved to suspend Rule 8 by providing for the consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was read so the bill will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Also,

No. 1396 Resolution Authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program (RACP) in the amount of \$75,000,000 for the Pittsburgh Steelers Football Stadium Project. (Council District No. 6).---
(PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

No. 1397 Resolution Authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program (RACP) in an amount up to \$75,000,000 for the PNC Park Baseball Stadium for the Pittsburgh Pirates. (Council District No. 6) .---(PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

No. 1398 Resolution Authorizing the Urban Redevelopment Authority of Pittsburgh to expend \$300,000 from the Industrial Land Reserve Fund for the environmental remediation of the former Kerotest facility (Council District No. 6). --
-(PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

No. 1399 Resolution Authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to URA of \$4,500,000 for Neighborhood Infrastructure Support (Council Districts: All).---(PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

No. 1400 Resolution Authorizing the transfer to Urban Redevelopment Authority of Pittsburgh of certain property located in the 14th Ward designated as Block 128P, Lot. 7(Council District No. 5).---(PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

No. 1401 Resolution Authorizing the Urban Redevelopment Authority of Pittsburgh to Acquire all of the City's right, title and interest, if any, in and to the following Publicly-owned Property designated as Block 11-K, Lot 19, in the 1st Ward of the City of Pittsburgh--Rental Housing Development Improvement Program (Council District No. 6). --
(PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

Which were read and referred to the Committee on Housing, Economic Development & Promotion.

MR. ONORATO PRESENTED:

No. 1402 Resolution authorizing and directing the solicitor of the City of Pittsburgh to enter into a legal agreement with the Stadium Authority of the City of Pittsburgh for the purpose of selling various fixtures currently located in Three Rivers Stadium with the proceeds to benefit various youth athletic funds. --
(SPONSORED BY MR. ONORATO)

Which was read and referred to the Committee on Finance and Budget.

MR. RICCIARDI PRESENTED:

No. 1403 Resolution repealing Resolution No. 770, approved December 30, 1998, providing for the transfer of the aggregate amount of \$10,164.90 from various codes to Salaries, Regular Employees, Account 511000, Fund 1000, Organization 510000, Subclass 010, Year 1998.

Which was read and referred to the Committee on Finance and Budget.

MR. UDIN PRESENTED:

No. 1404 An Ordinance Amending the Pittsburgh Code; Title Two "Fiscal"; Article IX, "Property Taxes"; Chapter 263, "Real Property Tax and Exemption", Section 263.22 "Participation In The Property Tax Relief Program" paragraphs (a) and (b), by increasing the maximum income limit for participation in the Property Tax Relief Program and setting standards for certification; and Section 263.23 "City Treasurer Duties" paragraph (b), by clarifying filing requirements.

No. 1405 Resolution authorizing the Mayor and the City Solicitor to enter into an agreement or agreements for the hiring

of counsel and consultants to assist in the representation of the City of Pittsburgh for outside legal counsel and consultants at a cost not to exceed \$50,000 (Fifty Thousand Dollars), chargeable to and payable from organization 108000, account 526100, sub class 150, fund 1000, professional services, Department of Law.

Which were read and referred to the Committee on Finance and Budget.

MR. O'CONNOR PRESENTED:

No. 1406 Communication from City Controller, Tom Flaherty submitting the City's Single Audit Report for the year ended December 31, 1997.

Which were read, received and filed.

The Chair:

Motion to approve.

MS. MCDONALD moved to approve the communication.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

UNFINISHED BUSINESS

The Chair:

Now move to unfinished business. I have the appointment of Duane Ashley to Parks and Recreation.

MR. O'CONNOR PRESENTED:

Bill No. 1391: A resolution authorizing the appointment of Duane T Ashley as the Director of the Department

Parks and Recreation.

The Chair:

Any discussion?

MS. MCDONALD moved to approve the appointment.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

Anything else under unfinished business to come in front of Council?

Hearing none, move to Committee Chair Reports.

CHAIR REPORTS

Mr. Ricciardi:

Thank you. I have before me a very detailed report that was put together by several Parks and Recreation employees. I will try to read some of the highlights. But if there is any member of the viewing audience that's interested in the entire report, they can contact my office at 255-2130 and we will mail it out.

Colleagues, we have several recent goals and accomplishments by the Department of Parks and Recreation. Number one, they have engaged in cooperative agreements with the following agencies and organizations. Collaboration with the Amateur Athletic Union and Youth Enhancement Support to provide boys and girls competitive basketball leagues throughout the city. Youth placement initiatives at the Warrington

Recreation Center, which is located in Allentown in the district that I represent. The 21st Century learning center at Gladstone Middle School of which Mr. O'Connor has been very involved in. The 21st century Learning Center with the Urban League of Pittsburgh Charter School, Community Builders, Hope Six Project for an after school project at the Ammon Recreation Center. It's a take off of the idea our Council President had several years ago in opening up the schools to all of our children in the City of Pittsburgh.

Also we have been awarded \$35,000 to assess the mechanical integrity of all 31 outdoor pools and recommend a feasibility of constructing a family swimming pool center.

We're one of 13 cities nationally to be awarded ten of thousands of dollars from the United States Tennis Association to implement the United States of America tennis 1, 2 and 3 programs.

The '99 grant for tennis from the USTA is \$45,000 and the adult and junior lessons begin April 17th, Citiparks tennis programs is now a 12 month program. It's headed by Mr. James Rudolph and I know Mr. Sala Udin has been very involved in this program last year in bringing the tennis program to his district specifically the Hill District.

I think some of my colleagues don't realize that I know how much you're involved in all these years.

In cooperation with the Department of Parks, Public Works and Engineering and Construction we're entering the final phase of development for an official one half mile cycling course at the former

Washington Boulevard driver training location.

Also the 1999 Richard S. Caliguiri City of Pittsburgh Great Race. The Great Race will be the twenty-third, our twenty-third annual Great Race and will employ a state of the art computer chip for timing and scoring.

To continue, we are also finalizing plans for upgrade improvement in the equipment inventory at all existing recreation centers. Delivery of new equipment is 50% complete. All community recreation centers are currently equipped with at least one new computer, printer and fax machine. This is something that Mr. Michael Diven has been talking about for years now.

Also on a personal note, at the Southside Market House the computer is up and running, \$100,000 plus new TV, new VCR so we're being treated very well in the South Side of Pittsburgh.

Mr. Rogers Neighborhood hosted a segment at Magee Recreation Center, featuring the Citiparks gymnastic program. The segment aired on February 15, '99

Also we have a host of other activities. Also was the football national program.

Going onto SeniorInterests. We reach -- this is very important, colleagues. I would like to take my time with this. We're going to reach out Pittsburgh, a Door knocking Campaign by the staff of Citiparks will occur on Tuesday, March 23, and on Friday March 26, 1999. Parks and Recreation has secured new listings for all seniors over 60 years of age that can be

contacted by June 30, 1999 throughout this door knocking campaign.

I have been made aware of this, Mr. O'Connor, several weeks ago at the Southside Market House. I am going to ask Mary Esther VanShura if she could give us more of a detailed report but all colleagues realize that unfortunately over the past several weeks several seniors have passed away in their homes and have gone unnoticed for days and sometimes weeks. And this is an initiative by Parks and Recreation, Mr. O'Connor, especially Mary Esther VanShura to use all of our volunteers and senior centers and reach out into the neighborhoods using people that are trusted and that are noticed throughout the neighborhood. We're going to try to reach out and try to have an inventory, a list of all of our seniors. Try to maybe start some sort of phone tree, become aware of people if someone isn't being noticed or not heard of in the areas, maybe a phone call or visit to their homes.

This really needs more details to come before us and I think all Council would like to become involved. I am definitely involved in my neighborhoods in District Three, but this is something that we should all reach out for, Mr. O'Connor.

Also the Winter Games concluded at the end of January involving 288 participants. Summer Games will begin on June 1.

Colleagues, we had a fantastic dinner in the Southside. We had participating 248 seniors from across the city who came to Southside Market House to receive their gold, silver and bronze medals. It was just a great evening; one that I think everyone enjoyed. We had a

surprise speaker and we had a very inspirational speech given by Dr. Cyril Wecht who joined us that evening. Matter of fact it was really a big hit. Some of the messages that he brought before us and received a number of an applause during the speech.

Let me point out that we have an individual that is 93 years old that swims 40 laps a day. I am not a swimmer so I don't even know what that comes out to, I will have to ask Mr. Hertzberg. He does that every day and we all know that Cyril Wecht is a senior also at the age of 60 years of age. So I challenged Cyril Wecht because he is also a swimmer and he's going to go head to head with our 93 year old man and I have my money rolling on the 93-year-old gentleman because he shook my hand and he squeezed and it hurt.

So I am going to be inviting everyone to the race. I think it's going to be very inspirational and very welcome.

Now let me continue. A new mural is being developed at our Greenfield Senior Community Center during the '98/'99 school year. I think Mr. O'Connor is going to be very involved in that.

Once again this is a very lengthy report they have done such a fine job. I will have to skip some of the things here.

Received a letter of recognition from Allegheny County acknowledging the fact that PNR exceeded our outreach goals established for the fiscal year.

Conducted the first Breast Cancer Awareness seminar for seniors. Conducted three seminars during the Older American month in 1998, which included the

participation of Auditor General Bob Casey. It has always been stated over the years that society and elected officials and everyone would be judged the way we take care of our seniors in society. I think all of us in City Hall can be very proud that Parks and Recreation really reaches out to our elderly.

We will be conducting a new program to offer CPR and first aid training for seniors at the later part of June. Implementing a new visiting nurse program, continued golf, tennis, cycling, fencing and health and wellness programs. There is a tied vote we're going to have colleagues fence together and the winner wins the vote. So we will see who does any fencing here.

This is something I believe Mr. Hertzberg has been very involved in. Continuing the negotiations with an owner of a property in the West End for a new senior community center. The Department of Parks and Recreation and Councilman Alan Hertzberg are currently in lease negotiations with the owner of the old Saint James Convent in West End for this new center. Appropriate budget costs were submitted for '99. Also something Mr. Ferlo is very involved in.

Mr. Hertzberg:

That is not a new center, incidentally if I can comment. It was one that was there and then was shut down and then reopened.

Mr. Ricciardi:

Thank you. We will make note of that on the change. And the process of converting the Joe Natoli Center to a Senior Community Center as a means to save

\$18,000 a year in rental cost.

Continuing on, and I could continue and continue and continue. Implementation of a preschool program at Bloomfield, Keilly, Morningside, Phillips and the South Side. P and R is presently conducting a facility and equipment analysis of each preschool in our program to improve the curriculum. The staff is developing a new assessment tool to determine each child's ability in a more quantitative manner. Spring term, which will begin on February 1 will conclude June 11 '99.

Mr. O'Connor, I thank you for giving me this opportunity. Once again we have a very detailed report. If any colleague or member of the viewing audience would like to read the entire report, please contact my office at 255-2130 and we will mail it out today. Thank you.

The Chair:

Thank you.

Ms. McDonald:

I want to point out to piggy back on Councilman Ricciardi's comments on seniors being found left alone and that it's a shame how this is brought to our attention. It's nice to be proactive but unfortunately there are times that we're left reactive. I will say this, that Mary Esther VanShura who heads the function of SeniorInterests, of senior programs, I have all the confidence in the world that she will be able to make some head way and even have some resolution in what the city can do to ensure that incidences such as these do not occur with the frequency that lately they have been occurring.

Mary Esther as a Deputy Director or Assistant Director not only has the expertise, the resources, she knows where to go. But what makes her special she has the compassion, that lady loves the senior citizens. She genuinely loves them. So I look forward to possibly through Councilman Ricciardi as Chairing the Parks and Rec. Committee, to report back to Council possibly some recommendations or whatever the city can do to help insure again unfortunate incidences such as these do not occur. Thank you.

The Chair:

I know in Hazelwood the center there actually has a group that calls especially shut-ins every day to make sure they are all right and too if they need anything. I am sure Mary Esther is aware of that. Maybe they can expand that all over the city and hopefully the county. It is not just a city issue.

Mr. Ricciardi, I am glad to see the \$35,000 to study the pools is available that's great news. I want to apologize in our discussions with Duane Ashley last week, I was over emphasizing maybe the Big League because my son is in it, and I see it every day. But I was reminded we also have soccer, football, basketball programs and especially tennis.

Mr. Rudolph has really made a come back from maybe ten years ago when it was really at its height and now he's really taken the bull by the horns and taking tennis all over the city again. So that is refreshing to all the youngsters. We have all these courts available, certainly make better use of them.

Again, thank you very much and

also you mentioned Mr. Rogers was in our neighborhood. I was honored to have him at Magee. He just received a national award in California. I just saw in the news for his programming for children. So he's certainly one of our esteemed ambassadors to Pittsburgh and all the great work he does for children, so we want to pass on our congratulations.

Mr. Ricciardi:

My daughter and I just watched him this morning, I can tell you what he did.

The Chair:

When my first one was born, we use to watch him three times a day. I knew him pretty well. But there are a lot of kids grow up with him and really owe a lot to what he's done. Thank you for that report, Mr. Ricciardi.

Now move to reports of committee.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1407:

Report of the Committee on Finance and Budget for March 10, 1999, submitting three resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1353:

Resolution transferring \$5,500.00 from Emergency Medical Services Salaries Account to Emergency Medical Services

Tuition Reimbursement Account for EMS Personnel. (PRESENTED BY MR. DIVEN).

Which was read.

Also,

Bill No. 1358:

Resolution transferring \$107,708.00 from various 1997 accounts Citywide to the Fire Bureau's 1997 Salary Account in order to resolve deficits in the 1997 Fire Payroll Accounts.

Which was read.

Also,

Bill No. 1359:

Resolution transferring \$128,274.00 from various 1997 accounts Citywide to the Fire Bureau's 1997 Premium Pay Account in order to resolve deficits in 1997 Fire Payroll Accounts.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills? Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine **NOES** None

Bills have received the legally required number of votes and have passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 1408:

Report of the Committee on Public Works, Water and Environmental Services for March 10, 1999, transmitting two resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1357:

Resolution Further amending Resolution No. 781 of 1998, entitled, "Adopting and approving the 1998 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvement Program" by transferring \$4,000,000.00 from various accounts to the Citywide Resurfacing Code Account. (SPONSORED BY MR. ONORATO).

Which was read.

Also,

Bill No. 1376:

Resolution vacating Shore Ave. (80' wide, from Allegheny Ave. easterly to its previously vacated portion (per Resolution 255 of 1966); Galveston Ave. (80' wide, from the northern right-of-way of former Reedsdale St. to Shore Ave.); Stadium Dr. West (40' wide between North Shore Dr. and Reedsdale St. as relocated); Stadium Circle Dr. (Stadium Outer Ring Rd., from centerline Gate A to centerline Gate D); Allegheny Ave. (Kaufmann's Ramp at Shore Ave. northerly to the southern right-of-way line of the former Reedsdale St., for a variable width of $\pm 20'$) Former Reedsdale Street, 40' wide from Allegheny Avenue to its easterly terminus in the 22nd Ward, 6th Council District of the City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Ferlo:

Thank you, Mr. President. I want to thank Councilman Onorato for his vigilance in working on this issue of Council appropriating more resources to street repaving. Also, I want to comment that with Council's support none of these dollars are coming from the Community Development Block Grant, which earlier through the budget process we prioritized in terms of critical housing and community development initiatives. So I am pleased to see that bond funds and anticipated fund balance increases above and beyond what Council budgeted for the '99 budget will be the source of funding for this four million dollars.

I do want to reiterate my criticism and concern about the lack of proper street management in the City of Pittsburgh. I am somewhat depressed that even though we are appropriating several million dollars more, four to be specific, I am still worried that we're not doing the streets properly. I am still concerned that despite Council passing an ordinance regarding the excavation and digging of our streets by utility companies, by contractors you name it repeatedly we see streets that have just been recently repaved. This will happen again even with this \$4 million be obliterated as a result of the construction and excavation into the street once new asphalt is put down on a residential street or commercial streets. There is not proper inspection by the Department of Public Works, they have not followed the letter of the law by this Council.

We wanted a specific standard to be met by contractors when they dig into the street, it even describes how a metal plate is supposed to be positioned on the street instead of bouncing around and being a public safety hazard and menace to drivers and vehicles. We asked that the metal plate be identified with a sticker and a permit number so that individuals can also help the department police the excavation of the street. I can show you hundreds and hundreds and hundreds, hundreds just in my smaller Council District, which means really thousands of situations involving holes in our streets where there has been no attempt to hold the contracts or the utility company accountable for the manner in which they restored the street.

So part of the problem is too why we're throwing good money after bad. It is not just a winter situation. I am sick and

tired of hearing excuses from people in western Pennsylvtucky about how our weather is unique and that is why we have potholes and bumpy roads. It is all a bunch of baloney. It has to do with the manner in which we have either established street particulars or the manner in which we either enforce or not enforce excavation and people digging around in our streets. I can take the media out and all of our colleagues and any driver knows this, you see repeatedly people digging in our streets and when its put back it is not put back to specification. They take concrete and belgium block out. They fill it with loose dirt, they don't put proper gravel back, they don't put the proper under base back. They don't put the proper asphalt back. They don't seal the hole. They don't do it to the specifics that Mr. Ricciardi once articulated going curb to curb. It's just a mess. So we are throwing good money after bad.

I am voting for this today but I am still concerned that we are not managing our streets, we are not taking control in the manner in which contractors just in such a cavalier fashion dig up and ruin our streets. It's going to depress me to no end to see this money repave and I will pick an example like Black Street from Aiken down to Chislet Street there was a beautiful street three years ago. If you go out there now it's been dug up so many times by utility companies and the Pittsburgh Water and Sewer Authority, none of whom have restored the street back to the appropriate specifications.

So every time Director Kraszewski comes to the table with his line of baloney about we have these specks and we do inspection, I don't know what world he lives in, but don't BS me any more, because it is all a bunch of baloney. We had

specifications that we don't hold people accountable. We don't do proper inspections. I want to know how many contractors have ever been sited under the code for their lack of the restoration of the street? I would doubt that you would find one.

So again we're going to spend another four million dollars on top of the other five or six million dollars and we are still going to allow people to decimate our streets. It doesn't make any sense to me.

I would also ask -- my detectives in Public Works have told me now that one of the reasons why nova chip was a problem is someone made a decision. By the way nova chip is a patented process by a particular company that we hire as one of the outside contractors for the asphalt program. It was used on a number of streets. The problem is not only the weather which is Director Kraszewski's line here at the table, my understanding is what was a patented process involving the use of limestone in the mix was changed as a result of somebody in Public Works deciding they wanted to put gravel in instead of limestone. I would like to know if that is the truth and I would like to ask the Controller's Office to do an audit of the nova chip streets with (inaudible), sending it to the lab and finding out what went wrong. I don't know if it is one of these frankie door deals, there is a lot of deal making that goes on in mid range in Public Works that I have a lot of questions about.

But this is \$4 million on top of already five million that we budgeted. But if we don't clean up our act and start taking control back of our streets, we are just throwing good money after bad.

Mr. Udin:

Thank you, Mr. President. First of all, Councilman Ferlo articulated most of the issues for which I will be voting no on this resolution. First, I would like to have my comments brought forward from the Standing Committee Meeting of the week before last when we discussed this matter.

Also I want to clarify number one I am voting no not because I don't believe more money should be dedicated to street resurfacing because I think that it should. I think that we need to do a better, more effective job at resurfacing the streets. I also want to thank Councilman Onorato for being open and sensitive to and modifying the original legislation so that some of the threats to community based programs and other CDBG funded programs are not included in this legislation. So I appreciate that.

I am voting no to attempt to send a signal that I believe something is wrong with the way we are managing the street-resurfacing program. I think it needs outside independent examination, professional examination and rendering of an opinion about what the state of the art is in street resurfacing, asphalt mixing and how that compares to the way that we make both the technical decisions and the management decisions.

I frankly and this is not intended to slam Mr. Kraszewski in anyway, but I left the discussion not certain as to who really makes the street repaving decisions. Whether it is the supervisor of the asphalt plant or is it the Director of Public Works. And I just think there are too many unanswered questions both management and technical. I think we need additional

answers. I think they have to come from the outside. And, as an expression of my own protest against adding more money prior to getting those questions answered, I will be voting no.

(See Addendum for comments on Bill 1357)

Mr. Ricciardi:

Yes, thank you. First of all I think our colleague, Mr. Onorato, has done just a fabulous, just a great job in locating additional sources for resurfacing of city streets. He was able to get a number of colleagues to give him initial support and then work out a compromise with the administration. I know that difficulty in all those three, that process I thank him for that. This money is definitely needed setting aside Mr. Ferlo and Mr. Udin's concerns both of them raise some legitimate concerns that need to be addressed.

Yesterday I took an opportunity to borrow a city car and I went over to South Oakland, streets like Coltart Street, Coltart Street needs to be a top priority for the administration for this additional \$4 million. From there I went up to Arlington neighborhood and I was making some notes where the potholes need to be fixed and what streets need to be resurfaced. Finally I just got frustrated, Mr. O'Connor, because there are just so many streets in the Arlington area that need to be done.

I just want to make sure that we're part of the process. It's very difficult for me to believe that Coltart Street has not been touched for 33 years according to two residents that I spoke to last night. I find it very difficult to fully understand how

streets make the list to become resurfaced. I need to better understand and grasp them. I was very pleased last year when the Department of Public Works decided to pave 18th Street for example. However to be perfectly frank with you, I would have bypassed 18th Street and really gone up to the Allentown and Arlington section and put into those roads.

So the request that I have through our Chief Clerk, our City Clerk if she would please and that is that I think all colleagues should be part of the process. Once the streets are made up through our management criteria, I think we should receive a list. I am more than willing to tell taxpayers in District Three that this street isn't ready to be paved yet and take a street off and put another street on. And the way I will do that is forming a task force in Council District Three working with the community groups, the business association and the block watches because let everyone be part of the program.

So once again thanks to Mr. Onorato, thank you to the administration for deciding on the compromise, thanks to Ralph Kraszewski and John Tortorete for doing all the fine work. But, please let us be part of the process. And maybe Linda Johnson-Wasler can receive written correspondence getting a commitment from the Department of Public Works, forward us that list before the job occurs. Because I think, Mr. O'Connor, you would agree with this, I know you have spoken about this several times. Thank you.

The Chair:

Just following up on that. If you remember last or at least the year before, it

was top secret no one could get the information. So I will be meeting with the Deputy Mayor and hopefully Public Works and I agree with you. Let's use us as guides. No one knows our neighborhoods better than the Council people that are there every day. So we can at least review the list with them and help set priorities and you will be able to see if it is shared across the city.

Mr. Hertzberg:

I want to thank Councilman Onorato. I think he has done a tremendous job with this, pushing this through over some turmoil a long the way. I think we have been passing this back and forth from committee back to recommitting for three or four weeks now. I think we are finally going to see the end of the whole issue and it's ending the right way.

I share Councilman Ferlo's concern about the utility companies and I would welcome as the Chairman of Council's Public Works Committee, I would welcome any ideas on what we can do. I see the same problems all the time. With the brand new street that we resurfaced it looks good and it is working properly. And all of a sudden here comes the orange lights and the trucks and all of a sudden they're dug up and they're left in a much different condition than they started out in. We need to do something about it.

I think in the past we have seen not enough resources allocated to resurfacing our streets. I know we all support some of the development efforts that are under way and we all want to see new development. We all realize we need it. But at the same time, we can't forget the existing improvements that we have, the existing

roadways we still have to maintain, what we have and we need to allocate enough money to do that. I think with this amendment to the budget, we're doing that for this year. I think we need to continue to focus on it. I think in the past we haven't allocated enough money to maintaining our streets. It catches up real quick. It has caught up to us.

We have to take control of the situation this year and in the years in the future and be sure to fund this item with enough money to get on top of the situation. I think that's what a lot of the problems have been too. When you talk about some of the problem streets and I know and I am sure Councilman Cohen will reiterate problems we did in the past. Because we have equal amounts of money we take these thin overlays and you know try to stretch the number of miles we were paving by using an inadequate product. We have seen what happens, it just doesn't work. With the amendment that Councilman Cohen made now requiring that all the primary roads not use any of this thin overlay stuff that we use the regular hot mix asphalt. I think we're doing the right thing, we are moving in the right direction.

I am happy to support this and also thank you also to the Mayor's Office for working through these amendments and finding a way to get this done.

Mr. Cohen:

Thank you, Mr. President. I fully support this bill and the reason I do is because of what has happened. I have seen personally what has happened in the district I represent. And that is that a number of the streets, Walnut Street has been the primary example because it's a primary

street. But a number of the streets in my district not just in Shady Side but also some in Squirrel Hill, Bloomfield, North Oakland, etc., that were done last year have been breaking apart this year just a few months later. And the reason is because of that thin overlay that was put on those streets. So I am glad that Council moved forward on requiring a full depth asphalt at least for the primary streets.

I want to thank Councilman Onorato for his persistence in moving to propose to Council four million dollars of new money for asphalt. We need it. It is clear that we need it. But at the same time we also need to have control over the expenditure of that money where the streets are going to be paved and how they're going to be paved. So I do actually agree with Councilman Ferlo and Councilman Udin who have raised a number of past problems, that's why I suggested at the table last Wednesday that we have a special Post Agenda with Director Kraszewski halfway through the paving season. The paving season is from April to October, so my suggestion was late June or early July to have a Post Agenda Meeting. Basically a status report meeting to see how it is going in all of our districts and see if any changes need to be made at that point.

But we're finally putting in the resources to be able to pave the number of streets that we need to pave both to catch up on past practices and to move into the future. So for that reason I fully support this legislation.

Mr. Ferlo:

I just want to reiterate the request again on the issue of the listing. If we could have it by district, presumably by now the Public Works would have had a

list at least for the five or six million dollar level. So if we could get that list to start with and then if we could find out how they prioritize the additional dollars. And, I would ask that the President follow up on that and we get a print out by Council District. Thank you.

Mr. Onorato:

Just briefly with the quick summary and that is that I think this process actually showed that the system does work. We had nice healthy debate over a three-week period. The original piece of legislation has been changed several times. Some of my colleagues made some compelling arguments about why bond money only should be used versus CDBG and convinced me. And if you think about the core functions of government that I keep on reiterating Public Safety, being able to pick up the garbage and maintaining our streets, this is one of the three core functions of a municipality. Why else would you borrow money on a bond issue except to start with core functions and that is paving, one of them is paving your streets.

I just want to point out again for the listening audience and just for anyone who might be in the audience is that 1999, the City of Pittsburgh has a capital budget and we're just talking bond money now of \$29 million bond money to be spent in 1999. The original budget as passed at the end of the year had 4.9 million of that amount, let's say five million. Five million out of 29. This amendment is only moving two million more bond money. So we will end up spending 6.9, so let's say seven million out of a \$29 million bond issue. That still leaves the \$22 million of bond money to do other things. I believe that that number eventually should be a lot higher going to

street paving, but this is a start. Because the additional two million dollars is coming from the general fund. I think it was a very good discussion of how we should approach the general fund with caution and this is dealing with the increase that we are expecting to see from the CAFR Report.

But I think what this does this debate and this vote today really sets us up going into the budget process discussion. One of the key issues is its going to be in front of all of us based on this is that we have to seriously look at what we budget for street paving going into next year. We have heard over and over again from different professionals, we can keep on getting more advise but it seems to be a \$12 million, keeps coming up that we need to have your basic maintenance going on every year.

We are now out nine million dollars, which I think is great for 1999. I would like to see us try to get up to that \$12 million for the year 2000 budget, for next paving season. I think 12 million out of a \$30 million bond issue is very reasonable for street paving. I look forward to the debate. I thought the discussion was very healthy and it was a great compromise to move forward. But the bottom line for everyone listening is that the city has the ability to double the amount of streets that was originally planned. Some of my colleagues have some concerns that must be addressed independent of the issue of funding, but I think Council is making a statement that we want to increase the funding. We're setting policy here today and that we want to put money into streets. Now we also have to make sure and do the follow up that the process is working and that how we're paving works. I think that's going to be seen very soon if it is working

or not. I applaud everyone and thank them for their cooperation.

The Chair:

Before I call the vote, I certainly want to echo my thanks to you for bringing this up and also working it through getting nine votes or eight votes and the administration to go along. You have made a lot of amendments in the last couple days.

My concerns would be, there has been a lot of finger pointing the last couple days, we used the right stuff, we used the wrong stuff. You're looking for quantity not quality. Council is asking for quality not quantity. How do we evaluate what is being done?

If we are going to spend 9 million, I think this is what Mr. Udin is concerned about, I believe we need a process if we are going to spend nine million dollars to be evaluated that we're doing the right thing. It is not a temporary paint job to make everything look good. It is going to last six months or a year. In the process, I would request somewhere I am not going to ask for an amendment now, but I think somewhere along the line, we have to have an outside auditor or an evaluation that we are doing the right thing.

So far I don't think we have. Whether it was reasons for not enough money, whatever the excuse was we're all suffering the consequences or our constituents, so I think -- is that what you were leading to, Mr. Udin? So during this process if you are spending nine million dollars, I don't know if it is 20,000, 30,000 we do have our in-house inspectors but they are also paid through Public Works. We may need some outside auditors to evaluate

what we're doing to make sure we're spending our money in the right direction. It kind of sounds like when you take your car to the garage and the guy says who the heck worked on this the last time? We can't continue doing that and I certainly don't want to be here with the same process when you find nine million dollars we all supported and find out we didn't do the right thing.

Mr. Ferlo:

I tried to raise this during the budget deliberations about properly utilizing the resources and expertise of Pennsylvania Economy League. I did not feel we should spend money paying them to tell us, forecasting, which I think our own budget staff, the administration budget staff, the Controller's folks came up with a proper forecasting. To me that was a waste of money.

I do support Mr. Hertzberg's initiative on the accreditation of Public Works. I do support having the Economy League look specifically at a program function of Public Works. I think given your comments and the majority of colleagues' comments about asphalt management and street management, I would ask that Council between now and the budget seriously look at utilizing the resources of the Economy League specifically and narrowly on this issue of asphalt and street management.

The Chair:

With all do respect to the Economy League, I think we need a guy that goes out and measures and says you are putting three inches down.

Mr. Ferlo:

That is part of what their function would be, Mr. President.

The Chair:

We will look into them or someone else. But I want someone that knows asphalt and knows what they're doing with all do respect to the Economy League. There are experts out there that can verify what is going on.

Mr. Udin:

Let's asphalt from a hole in the ground.

The Chair:

Well said.

Bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. O'Connor
	(Pres't)

(Mr. Udin voted no on Bill 1357.)

Bills have received the legally required number of votes and have passed

finally.

MR. ONORATO PRESENTED:

Bill No. 1409:

Report of the committee on Planning, Zoning and Land Use for March 10, 1999, transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 948:

An Ordinance amending and supplementing the Pittsburgh Code, Title Nine, Zoning, Article V, "Use Regulations," Chapter 911 "Primary Uses, Section 911.04.A.7 "Bed and Breakfast," by inserting new standards for "Bed and Breakfast". **(SPONSORED BY MR. FERLO & MR. RICCIARDI).**

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Ferlo:

I want to thank our colleagues for supporting these amendments to help sustain and make more viable the five bed and breakfasts operating in the City of Pittsburgh.

These amendments will allow them the ability to have a proper management on the 24-hour basis of the facility of the bed and breakfast. It would allow them an

opportunity to increase some revenue in a reasonable, appropriate way by having small social and business functions on a limited basis in the bed and breakfast operations, and what the specific requirements for parking and hours of operation would be and the manner in which the event would be conducted.

To the extent that there has been some criticism raised and I think to some extent justifiably especially in one area involving Maple Heights Court, I would ask that pursuant to the adoption of this bill that we have a more increased focus on enforcement by building inspection. But I would specifically ask that the Fire Bureau visit Maple Heights Street and to the extent that it should be firelaned on one side, whether the B and B is there or not, I think that should be done. I have lost a lot of street parking at least in my Council District as a result of the fire chief and the bureau going through the area. I would to ask that likewise that be done here in the particular area that some of the residents adjoining Maple Heights Bed and Breakfast have raised the criticism.

In addition, if there is a particular problem involving a vehicle, I believe Molly's Trolley's was mentioned. I would ask that the Department look at that issue also and whether or not it is appropriate for a vehicle of that sort to be backing down the street even though it has been done frequently and even probably by our garbage trucks. I would ask that that be a specific focus that the BBI and Public Safety officials look at. But I am pleased that the amendments, I would ask Council's support I think they are reasonable. I would reiterate having or conducting a bed and breakfast in the City of Pittsburgh is not a use by right. You have no guarantee

necessarily that you will ever get approval by the Zoning Board or by this City Council to operate a B and B. And since the initial amendments of '93, which started this process it has taken seven years to get five B and B's. There is one that is going to be developed appropriately on Stanton Avenue in Highland Park, a smaller one. So, in almost a decade it is not as if we are seeing a pandemonium out there in our residential neighborhoods in terms of reasonableness on bed and breakfast operations.

I would hope that we would not support any other amendments, which are aimed at deflating and defusing and demeaning the effectiveness of this bill.

Mr. Udin:

Thank you. First of all, I want to thank Councilman Ferlo for amending this bed and breakfast ordinance. I think it enhances the city in the way that certainly bed and breakfasts can in their special way. I have several bed and breakfasts in my Council District and have talked with a number of the operators. One thing that is peculiar about this particular industry is their diversity. None of them are the same. Some of them are operated in areas that are more residential than others, others operated in areas that are more commercial. I am hoping that Mr. Ferlo will find the amendment that I have distributed as a friendly amendment and as a help and a supplement moving in the same direction in which his legislation is attempting to move.

Many of the people who have contacted my office are not certain about how all of this is going to work out especially those elements that have to do with liberalizing the extent to which bed and breakfasts can engage in both limited

and unlimited social functions. So my effort is to create a problem solving task force, which includes all of the principle parties. I am certainly open to whoever else ought to be included so that there is some place that problems can be brought to.

I know that enforcement will be done primarily by BBI. But BBI is not necessarily composed of a broad cross section of all the people who are involved in this industry to solve problems. If there is some legislation that can be -- that needs to come forward to amend this even further after we have experienced this for 12 months, then we have a group that has already worked out the consensus as to what the changes need to be. So my intention is to not in anyway weaken or undermine this legislation, it is to strengthen it and provide a mechanism for problem solving and mediation and developing some further amendments in 12 months taking another look at in 12 months and developing other legislative amendments if needed.

MR. COHEN seconded the amendment.

The Chair:

Discussion on the amendment?

Mr. Ferlo:

Obviously I don't find this amendment offensive at all. I think it is appropriate, I am very confident. I was confident in 1993 when I first proposed bed and breakfast, and I am confident now about the safe guards now that are enumerated in this resolution by way of amendment.

I find this proposed amendment to

be helpful. I would have preferred that it be done by separate resolution instead of appearing as language in a zoning code. I would ask as a friendly amendment that it be sunshined a year from now, so that it doesn't continue to be a part of the actual zoning code language. Its really kind of not a -- its more of an authorizing resolution for a task force.

So if we are going to do it by way of an amendment today, I would ask that it be sunshined so it doesn't continually appear as a reference in a permanent document known as the zoning code. But obviously I support it. I will assist it any way I can. I believe it is a good way to try to resolve one by one complaint by complaints so we can have the proper enforcement so we don't in anyway effect the livability of our community which is I do not believe --

Mr. Udin:

I have no objection to the sunshine.

The Chair:

Any more discussion? All in favor?

Which motion prevailed.

The Chair:

On the bill itself.

Mr. Cohen:

Thank you, Mr. President. I know that I am in the minority here but I think it was Jimmy Stuart in a Frank Capra (phonetic) film that said that lost causes are the only causes worth fighting for so I am going to give it my shot.

I am opposed to this legislation and not because I am opposed to bed and breakfasts. The bed and breakfast the few that we have in the City of Pittsburgh and most of them are in the Council District that I represent, I think have been an asset to Pittsburgh. I have stayed at one of them. My wife and I stayed at one of them, the Apple Tree on Negley Avenue in Shady Side. We liked it very much. I think the bed and breakfasts have really helped in a marginal way, but it helped in terms of economic development for this city as well.

But what this bill does is it expands bed and breakfasts in a way that could potentially undercut the quality of life in our most dense neighborhoods. And we're talking about neighborhoods where houses are right next to each other. Now it is not going to undercut the whole neighborhood, but it's going to be the few blocks and the few houses around a bed and breakfast. Particularly the aspect of the bill that states that you can have limited social and business functions. That is really what I focused on with my amendments last Wednesday. There is really no limit on that limited social and business function except an occupancy number that has not been determined yet in the largest rooms in each of those bed and breakfast. And except that it requires valet parking for one out of four of the cars that are required at that bed and breakfast.

First of all valet does not help a neighborhood. It hurts a neighborhood. It still means lots of cars going back and forth, to and from the bed and breakfast. But even if it did, even if valet didn't really undercut that immediate neighborhood, it still is only one out of four of the cars that are required. That is what the legislation says. My amendment last week that

unfortunately got only one vote and I think you can probably guess who that vote was, said that let's allow limited and social business functions so long as the bed and breakfast can provide their own off site, excuse me off street on site parking. They can provide the parking themselves. If they can do that, then fine.

I think that the neighbors could probably put up with many parties next door so long as those parties aren't too loud and they don't exceed our noise requirements, so long as they can provide their own parking. But that amendment failed. So what we have here really is a potential banquet hall that doesn't accommodate increase parking. That is what the source of my opposition is. It is not about Maple Heights Court, even though I represent Maple Heights Court. I am actually having another meeting with the residents of Maple Heights Court at 3:30 this afternoon in my office. Anyone who wants can certainly join me there, because I think that they have separate issues. This is about citywide legislation and I am not sure that I could, I know that I couldn't be any more eloquent than the Chairman of our own Planning Commission, that is Tom Armstrong. Tom Armstrong wrote a letter to Dan Onorato who is Chair of the Planning Committee and I have a copy of it here and I would like to read from that letter.

Dear Councilman Onorato, and the only reason it mentions Councilman Onorato is because he is Chair of the Planning Committee here. I am writing to explain my personal opposition to the Planning Commission's recommendation on bed and breakfast.

Such facilities can play a wonderful

role in our hospitality industry but we must be careful to protect our larger constituency, our residential taxpayers. The proposed valet parking opens the door to facilities in dense neighborhoods where parking and traffic problems already exist. Valet parking doesn't solve a problem, it imposes noise and traffic problems on communities that least absorb them. If sufficient parking isn't available on the premises, the operator should seek another location. There is no scarcity of investment opportunity in our neighborhood business districts. Residential taxpayers deserve neighborhood business districts. Residential taxpayers deserve peace and quiet regardless of their lot size.

Pittsburgh is surrounded by suburban municipalities that wouldn't dream of allowing commercial uses in their residential neighborhoods much less with legalized social functions. We should nurture the bed and breakfast industry without jeopardizing the quality of life in our predominantly dense residential neighborhoods and that is from Tom Armstrong, the Chair of the City's Planning Commission. I couldn't agree with Chairman Armstrong more.

The bed and breakfasts as they currently exist are fine. They do present some problems to the neighbors but at least in the neighborhoods that I have talked to, Maple Heights is treated separately, they're willing to put up with the impact that bed and breakfasts have on the surrounding neighborhoods. But this, this really would allow a much greater impact. An impact that would in my view at least turn these into a potential banquet hall in a dense residential neighborhood without accommodating increase parking.

So for that reason I am opposed to it and I would like to ask my colleagues one last time to also oppose this because it is not the right thing for our neighborhoods.

Mr. Ferlo:

I belabor for him, but again I reiterate, no one has the right to have a B and B in the City of Pittsburgh. My colleagues now and in the future will have a right to vote no. There maybe an appropriate time that comes up in the future, in fact I think there is one that is being contemplated in the Schenley Farms area, I believe, where Council is going to have every opportunity to vote no. Because we have the power, we still hold the power of saying no on a conditional use for these bed and breakfast operations.

The Chair:

I visited the Maple Heights, I had never been in it, so I spent about an hour and a half there the other day and that owner and the owner of the Negley bed and breakfast were there. It certainly changed my impression of the way it was laid out. It's more hospitable for a dinner party ten, 12, 20 people. If that's the intent which I understand was the intent I went to visit, now if it is going into 200 people, weddings, fraternity houses deciding to have a big party, then it certainly is not going to work there or anywhere else.

I am willing to support it and I believe we came up last week they need a year review to reapply for their license and also with what Mr. Udin is doing with this task force which would include people from Maple Heights and Negley and the North Side. We're certainly giving the bed and breakfasts an opportunity to do what they

want to do but if for whatever reason they fall astray I believe I would be the first to support you. You and I just live about a mile away from at least Maple Heights would be the most in question I guess. If they can't abide by the rules and they do some of the things that maybe there is fear of, I would certainly be the first to go with you and revoke their license.

So they have the opportunity to behave and take advantage of what they have done. It's a beautiful bed and breakfast. They have eight visitors right now, eight rooms; so eight cars going up and down the street once or twice is not going to interfere with anything. But if these parties are meant to be social functions like they are telling us, I certainly can support it, but if it goes another direction then I think Mr. Udin's task force would be the first to come in front of us and we would have to change it.

Mr. Cohen:

Just real briefly on that, Mr. President. My opposition is not focused solely on the Maple Heights Court situation. However, at that Bed and Breakfast right now the proprietor of that bed and breakfast has had weddings on that site, significant sized weddings under the law as it currently exists, which is not enforced. I don't have great comfort despite my amendment last week about having the Bureau of Building Inspection designate an enforcement officer. I still don't have the comfort that this legislation will be enforced. If that bed and breakfast could have a significant sized wedding under the rules as they currently exist, not even counting Councilman Ferlo's new legislation, then there is a problem there. So hopefully Councilman Udin's committee

that he's proposing here will help, but I have my serious doubts.

The Chair:

Hopefully we're sending a strong message that it is not every Saturday night to have a wedding. That's not supposed to be the intention.

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Diven	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

(Mr. Cohen voted no on Bill 948)

Bills have received the legally required number of votes and have passed finally.

MR. DIVEN PRESENTED:

Bill No. 1410:

Report of the committee on Public Safety Services for March 10, 1999, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1299:

Resolution providing for a Contract or Agreement or the use of existing Contracts or Agreements to purchase LifePak 12 Heart Monitor/ Defibrillator/ Pacers for the Bureau of Emergency Medical Services at a cost not to exceed \$156,000.00.

Which was read.

Also,

Bill No. 1354:

Resolution providing for a contract or contracts from time to time in connection with demolition and removal of condemned buildings and providing for the payment of the costs thereof, Capital Project Funds, Peoplesoft Fund 5100, cost not to exceed \$600,000.00.

Which was read.

Also,

Bill No. 1355:

Resolution providing for a contract or contracts from time to time in connection with demolition and removal of condemned buildings and providing for the payment of the cost thereof; Community Development, Peoplesoft Fund 2610, cost not to exceed \$450,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bill?

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were.

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine NOES None

Bills have received the legally required number of votes and have passed finally.

MR. FERLO PRESENTED:

Bill No. 1411:

Report of the Committee on Engineering and Construction for March 10, 1999, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1189:

Resolution providing for an Agreement or Agreements or use of existing Agreements and/or a contract or contracts, or use of existing Contracts and

for the purchase of materials, supplies and equipment in connection with the renovations and maintenance of various public Buildings; at a cost not to exceed \$650,000.00.

Which was read.

Also,

Bill No. 1250:

Resolution providing for a Contract or Contracts, or use of existing Contracts, and/or Agreement or Agreements, or use of existing Agreements for the renovations to the City County Building and for the purchase of equipment and supplies for said project; at a cost not to exceed \$180,000.00.

Which was read.

Also,

Bill No. 1301:

Resolution further amending Resolution No. 1018, effective January 1, 1997, entitled "Adopting and approving the 1997 Capital Budget and the 1997 Community Development Block Grant Program; and approving the 1997 through 2002 Capital Improvement Program, " by increasing a line item (Lower Allegheny Riverfront) by \$28,000.00 from \$550,000.00 to \$578,000.00.

Which was read.

Also,

Bill No. 1302:

Resolution further amending Resolution No. 781, effective January 1, 1999, entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvement Program," by amending the funding source of the Route 51/Liberty Bridge line item.

Which was read.

Also,

Bill No. 1303:

Resolution further amending Resolution No. 781, effective January 1, 1999, entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvements Program," by reducing the Transportation Improvements Program by \$250,000.00 and creating a new line item titled "West End Improvements."

Which was read.

Also,

Bill No. 1304:

Resolution Amending Resolution No. 136, effective March 31, 1997, entitled "Providing for an Agreement of Cooperation with the Pittsburgh Cultural Trust in connection with the Construction of the Lower Allegheny Riverfront Park, bounded by the Allegheny River on the North and the Tenth Street By-Pass on the South; and providing for the payment of the costs thereof," by increasing the total

project allocation by \$28,000.00 from \$550,000.00 to \$578,000.00.

Which was read.

Also,
Bill No. 1305:

Resolution providing for a three (3) party Cooperation Agreement between the County of Allegheny, the Port Authority of Allegheny County and the City of Pittsburgh, in connection with the initial engineering services associated with the West End Improvements; at a cost not to exceed \$250,000.00.

Which was read.

Also,
Bill No. 1306:

Resolution providing for a Cooperation Agreement with the Commonwealth of Pennsylvania, Department of Transportation for reimbursement to the state for the City's share of improvements to the Liberty Tunnel South Portal Interchange; at a cost not to exceed \$235,000.00.

Which was read.

Also,
Bill No. 1307:

Resolution providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts for the Reconstruction of Various Park Facilities; providing for the purchase of equipment, materials and supplies in

connection with such projects; at a cost not to exceed 642,000.00.

Which was read.

Also,
Bill No. 1308:

Resolution providing for a Contract or Contracts, or use of existing Contracts for the installation and maintenance of traffic signal equipment throughout the City; at a cost not to exceed \$80,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Hertzberg:

Thank you. On bills 1303 and 1305 related to the expenditure of \$250,000 on the West End improvements, first I would like my comments brought forward.

I am supporting these bills, but I just have some concerns. I question priorities here. The West has been plagued with this west bus way phase one project now for over a year. The project started late in the 80's and was presented to all the neighborhoods in the West as an exclusive right of way for buses that would travel from the parkway near the Carnegie interchange through the western neighborhoods, straight to downtown Pittsburgh. In fact City Council in 1994 and 1995 and 1996 probably approved 20 and 30 resolutions relating to this bus way under the presumption that that's what the

road would be.

However, and let me step back, at that time the Port Authority who was the lead agency on the project was very kind to me and to this Council offering to meet with us and explain anything we wanted to know about what was happening on the bus way. But then surreptitiously at some point everything changed. And suddenly I pick up a newspaper and read that this isn't the same project any more. We are now going into a recovery plan. This is a scaled down project. I think it's a sort of fraud that was visited upon this Council upon this city and particularly upon the western neighborhoods.

Unfortunately, there has just been a vacuum in leadership on this whole thing. It just doesn't seem like we can get the project going again. Instead, what we see are projects like this. This project moves ahead this hole in the wall through the West End Circle moves ahead. This becomes our priority not finishing the bus way the right way, but projects like this. And they become our priority because now we're concerned about the north shore. We forgot all about the airport bus way, that is over and done with. We are going to do it wrong. We are scaling down the project. We should have never done it in the first place but we did.

It's 360 million dollars waste of money. So now we're going to do something different. Now our focus is let's get the traffic over to the north shore. Now we need a light rail extension to the north shore. We're doing all these things, but we forgot to finish the project we started. That's why I resent this although I am going to support it. It is different pots of money. Mass transit funds are a different pot of

money that you work on the bus way with than these funds.

So I am supporting this, but I look at this and this is a total project cost. I think when we are all done, when we put the hole in the wall and then when we reconfigure the whole West End Circle it is about a 25 or \$30 million project. Now what the Port Authority is starting, they're starting to tie into West Carson. Really my favorite, and I am being sarcastic, my favorite part of this when they're actually going to bring buses onto West Carson the street that can least handle it and probably the worst part of this road. But they're going to do that by what they call a fly over ramp. A ramp that is another 20 or \$30 million job. So here we are up to \$50 million on these two projects we are spending when we could probably bring the bus way up above West Carson for about a hundred and solve most of the problems, we're not doing that.

In fact the bridge that we talked about putting over the Mon River that also got all messed up in this whole discussion taken off the shelf, that bridge still isn't back into the mix of things. I don't know if we have got the leadership to ever get a bridge done either with this thing.

So I am disillusioned with this whole process. We will get an improvement in the West End. I don't think it should be the high priority it is; I think the higher priority is doing this bus way right. But this is something that is going to make an improvement in the long run for everyone including the West End community. So, I am supporting this with reservations and in the future I am not done with this bus way thing. We will be revisiting it.

(See Addendum for comments on
Bills 1304 and 1306)

Mr. Udin:

On a different subject. This relates to Bill 1307 in a way because 1307 provides for funds to continue the playground building project. But it has more to do with Public Works.

I am always happy to attend ribbon cuttings at a new playground in my district, but when I visit that playground several weeks or several months later, the maintenance of the brand new, beautiful playgrounds is frequently not there. It is not sufficient. And so we have a number of playgrounds I believe, brand new, we have made major millions of dollars of investment and thanks to the foresight of Councilman Cohen and this Council. But I don't believe that we have a corresponding capacity to clean those programs by the Public Works Department.

Also I don't believe that we have found a way to engage the nearby communities in a voluntary kind of clean up. If we would kind of provide them with the tools and supplies they need, people are so happy about getting a new playground in their district that they would be willing to do it themselves. So I would like before we build any more playgrounds, I would like to see us make some assessment of what our ability is either internally or with volunteers to keep those new playgrounds maintained. Other wise, we will be back here in a very short period of time trying to find money to repair playgrounds that could have been maintained if we had taken some preventive measures.

Mr. Cohen:

Thank you. Councilman Udin raises a very important point. The city has made a tremendous investment in new playgrounds, upwards of seven million dollars to redo all of the 10 playgrounds in the City of Pittsburgh and to do that without providing for maintenance is a big mistake.

The legislation that I introduced, the playground safety legislation, I believe it has been awhile, I want to look back, a maintenance component that requires Public Works to go back and maintain the playgrounds on a regular basis. I want to look at that. But legislation aside, there has to be a practical plan to do that. I would support having a dialogue with the Public Works and the Parks Department to see what their current plan is and how that plan can be improved. Because the improvement in our neighborhoods has been tremendous, but for us to come back five to ten years from now and have to do it all over again would just be a tragedy.

So I would certainly support Councilman Udin's effort. I think we need to look at the original legislation, which I would be happy to do, and then have a dialogue with Parks and Public Works as to how they're going about it now. And clearly it needs to be improved.

Mr. Udin:

Perhaps the leadership of Mr. Hertzberg with Public Works in working with Councilman Ricciardi of Parks and Recreation, can give us some assessment of what the size of the task is, and whether or not other resources in the community can be garnered. Because I am sure that people

in the community would be willing to volunteer to keep these areas clean.

Mr. Ferlo:

I reiterate my concern that our new Director of Parks, Mr. Ashley, wrestles back some control over all these playgrounds. Many of these playgrounds are not isolated, they are in major parks even smaller parks of the city and basically under the jurisdiction of Parks and Recreation. All though the physical assignment and task have been assigned to Public Works in terms of clean up and maintenance, but I think Director Duane Ashley needs to wrestle back some control and meet with the staff and interact with the Director of Public Works. I think the Parks Department working with Council members, myself included, would have a better chance of working on a volunteer participation process more than Public Works would likely have the resources or the ability to muster up to that call.

So I would ask that Director Ashley review the record today and I would be glad to attend any meeting. I don't want any playgrounds to stop because I have three planned in my district that are going to be starting soon. Well, one major playground and two concession stands, but the point is well taken and we have all had experiences.

I have to go back out to Arsenal Park where we spent several hundred thousand dollars, five years ago and some repairs have had to be made to the new play equipment. That has probably been the case throughout the system because now even our newer playgrounds some of which I have done at least five or six years ago. And they're older playgrounds now, even though they were newer. So we have to

address the point that is well taken.

I would ask that Director of Parks also kind of speak out on this issue and give us some ideas on how we can mobilize some community input. That's sort of what we have been doing with the super playground in Highland Park and it could be a model for some of the other parks too.

The Chair:

Again, it has to be --

Mr. Ferlo:

But these parents, by the way I have spent a lot of time and have interacted, some of these knucklehead parents have to wake up too. They have kids there in the play area, they see the kids being abusive to the equipment, speak up. I see parents throwing cans around the park. I know because I have interacted and confronted parents some times.

So I mean some of these community folks that are sitting around in the park system I mean don't expect that the city can do everything. I mean our men and women out there in Public Works are stretched out to the limits, there are ball fields activities, there are playground activities, they are working hard and doing a lot. But once in a while, I mean the residents themselves got to take some personal responsibility for your kids. I mean we have to be a partner in this. If it is not going to work, then we aren't going to do some of these playgrounds in some of these areas.

So, for the parents who are sitting on their butts with their kids at these playgrounds, pick up a darn wrapper and pick up a can and throw it in the garbage receptacle. Help out. The city can't do

everything and we shouldn't try to say to people that we can do everything. Because we can't, so help out a little bit. Teach your kids to be respectful of the equipment. Otherwise they are going to lose it.

I mean I have stopped kids twisting the swings around and throwing litter around, you have to educate little kids. You have to be parental to them, give them some good advise, and they will do a good job if they are brought up right. So for some of those parents who are sitting there smoking their cigarettes on their butts, tell them to mind their children and clean up the park a little bit.

The Chair:

Throw their butts in the right place when they're finished smoking them. I certainly agree and it came up a little bit last week. We are spending all this money and no one is taking care of it, Public Works may or may not be doing the best they can. Just a simple if you have five kids and say let's police the area, the kids are very happy to do it especially the ones under ten. I don't know about the older ones. I think we can take a lesson from the Conservancy what they did with the flower planting, they had volunteerism, whatever happened to our Partner's in Parks.

I think everyone has to be part of it but also our Public Works division. I know when we have someone assigned to a park or a couple parks that person takes a lot more pride in it. I think it is a total management aspect and certainly involving the community. I have been at little league games where the kids just trash it with cups and everything else and the team walks away. That shouldn't be allowed, those kids have to pick up after themselves. It is

not fair for a city employee or anybody to pick up every Coke bottle and hamburger wrapper or whatever else they are using on the fields. I mean the cans are there, we all have to start pitching in. I certainly would agree with you. I have scolded quite a few myself.

Mr. Ferlo:

Bill 1189, Mr. President, on a separate matter, this was an authorization, it is kind of a hodge podge bill to enable Engineering and Construction to repair and maintain and renovate and fix various public buildings. But originally this bill and its amount contained roughly \$650 thousand for the construction of a so-called Public Works Facility as a result of the Phipps Conservatory not being the location any more for Public works. Many of us want to have some separate discussion that we don't know where this facility is going to be built, where it should be built whether or not it should be built, is it only a Public Works facility? Maybe we need to look over all at our building inventory, the needs of parks, other departments so we separated out the amendment that is before us today. But I didn't clarify that the remaining money technically is enough to do the Department of Public Works building.

I am not going to amend it further but implicit in this resolution downsizing its amount implicit in that is Council making it clear that we want a separate resolution, a separate discussion, and a separate set of plans that will come before Council in Standing Committee when it comes to the point of building this so-called Public Works Facility. The first thing I heard was it was going to be built on Second Avenue, which doesn't make any sense to me. We have got \$50 million

invested for economic development. I don't know why we would build a big Public Works tax-exempt facility that doesn't make any sense to me. We even have a lot of buildings, I have got places in Lawrenceville that would be a great location for a Public Works building, so if no one else wants it, I will take it.

The Chair:

I believe in your discussions, the Director Reginella made it clear that we would have final vote on any of the monies or plans.

Mr. Ferlo:

I know, but he is not always in the driver seat. I want to make sure whoever is in that driver's seat they are going to have a head on collision with Council if they screw us up on this.

The Chair:

I certainly agree putting a couple hundred trucks on the high tech center, on the edge of the high tech center and all of that potential development certainly doesn't look very appealing or appetizing to me right now. Let's find out where they're going right next to the jail --

Mr. Ferlo:

I am sure the University High Tech Center wants to be right next to Public Works, that makes a lot of good sense.

The Chair:

Well that is where the bridge is going to end up.

Mr. Ferlo:

The food is locked there with that sports crap.

The Chair:

Any more discussion? The bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine NOES None

Bills have received the legally required number of votes and have passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

I have an appointment.

MR. O'CONNOR PRESENTED:

No. 1412 A resolution appointing Thomas Fitzgerald as a Board Member of the Personnel Appeals Board, for a term to expire January 31, 2000.

MR. FERLO moved to approve the nomination.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

We learned our lesson last week. I just want to make an announcement. A Public Hearing Thursday, March 18th, at 2:00 p.m. concerning the zoning changes with the sports facilities.

Mr. Onorato:

Real briefly. I wanted to inform my colleagues for two things. One is as you know I am your representative on the Stadium Authority. I introduced a bill today, I did not waive rule eight, it will be up next week. But I am looking forward to everyone's input about this idea of what we do with the old stadium and the possibility of selling the seats and other artifacts that are in the building, memorabilia that people might want to buy.

It appears that there could be a significant amount of money generated and a lot of fun and good will built up in addition to the money raised. I initially put a suggestion forward that we develop a trust fund, use some of the money for youth activities. It could be anywhere from staffing for opening our schools at night. As you know we have the nine community enrichments, we could maybe double that or triple that, we could either renovate fields, new baseball, new soccer fields but I think the ideas and the opportunities are unlimited here and that's what I am looking for, for some suggestions.

In the mean time, I got a lot of calls in my office from certain companies that deal in these types of issues. There is one company, I don't want to use the name today, but they are putting together a proposal for us. I will bring that to Council and to the Stadium Authority and also to City Council and to the Mayor that could involve having athletes there, which would raise additional money that the city could get a piece of. Maybe this thing could really take off, but I believe it is a golden opportunity to look at Plan B and have a component that really goes back to the average citizen and the region.

I don't I think it would be a shame if we let all of this potential money just go into the construction here. One of the criticisms you constantly hear out there is all of this money is going to the high priced ballplayers. Regardless if you believe that or not, this is an opportunity to provide some services and facilities to the youth of the region. I think it could be a fun time for all of us.

I look forward to the debate. I look forward to suggestions, friendly amendments, suggestion of how we can spend the money or put the money into the trust fund and use it long term. If we just use the interest for staffing, I think it's going to be fun coming up with some of the scenarios that are possible here. I also look forward to that we have the auction. That might be a year and a half away to two years away, but the planning should start now. I know I will be interested in buying a few seats, I think it would be great to have in your family room or game room. Graduating from high school in '79 and growing up in the '70's it was a great decade to be in Three River Stadium.

Not many stadiums in ten years can claim four Super Bowls and two World Series. That is a pretty awesome performance and if you put on top of that a World Championship for the college Pitt played in Three Rivers and a lot of those games that year in '76, there is a lot of memories. There is one thing we have learned in the market place, people are willing to buy sports memorabilia. This is an opportunity that we don't miss. If you can recall when Forest Field closed, the last day was a free for all there. I think if we organize it and you let everyone have an organized way of bidding on certain items in the stadium it could be fun and raise money in the long run. Thank you.

Mr. Udin:

I want to thank Councilman Onorato for his innovative idea relative to the stadium. It just kind of reminded me, I am not pushing it but it is just a kind of free flow of thoughts. I have been working with the Roberto Clemente Foundation and the Pittsburgh Pirates. We're working on a project that I have discussed with Councilwoman McDonald the possibility of putting it in some where in the East End, a major youth development project that combines both sports and education and character development. It could be possibly a project that something like the auction might want to fund, something that goes back into the people, back into the youth and still keeps alive the memory of the combination of sports and character development very important maybe we can use that as a project.

The Chair:

I just want to, can you make sure I get my seat? I have been there 27 years;

can I get first dibs on my seat?

Mr. Onorato:

There were rumors that relatives of yours were --

The Chair:

I have actually caught three or four balls; I get the extra points. I think it's a wonderful idea and make sure it's for the city kids. You maybe with the county when this all happens so we can benefit all of it.

Mr. Onorato:

We should also be careful. I think it is an opportunity to benefit I say the youth of the region. We have to be receptive to the fact that even though this is a city authority and the city has picked up the bills for a long time, there is a lot of county money in there and now some state money. I believe there are facilities that could end up in the city that really are opened to everyone in the region. It's definitely not just for people that live in the city. We want people to participate in this no matter where they live and it is all of ours and we are doing this together.

The Chair:

We certainly want to commend you on it.

Mr. Ricciardi:

Yes, thank you. Obviously, this is a very positive issue that Mr. Onorato and Mr. Udin have brought up. Unfortunately, I am going to talk about an issue one that is very concerning. Mr. O'Connor, the past several weeks I have received a number of

calls from constituents in South Oakland experiencing once again an increase in graffiti. First of all I want to thank Councilman Jim Ferlo who informed me on Monday that there was going to be a court case in our municipal building with one actor and that goes under the nickname, Mr. Ferlo, is it Surge.

Mr. Ferlo informed me of that information which I did not know. On Monday immediately along with my Administrative Assistant Mr. Bill Fry and I we went to the municipal building to attend the hearing. Unfortunately, colleagues, the hearing was postponed. The reason I am bringing this up, I would like to really make this high profile. If I am not mistaken, this guy has been around for several years dating back to when he had some run-ins with the late Honorable Mr. Baldie Reagan at that particular time. And once again he surfaced to such an extreme that if you look at the Bates Street corridor and some other streets in South Oakland and probably throughout the City of Pittsburgh they look like battle fields, to use the phrase that is often used by Jim Ferlo who has become the graffiti buster here in the City of Pittsburgh.

But the reason I am bringing this high profile is that I believe our Magistrates should severely punish the actor, severely punish. Number one he should be embarrassed publicly. Number two, he should be made to pay for his vandalism. Number three, I think he should go out there and be forced to clean it up. But I think that our municipal magistrates should realize that we are going to follow this case very closely. Not what happens to some other cases where the magistrate goes out there and says well I will give you 30 days to do this or I will accept this as

punishment. I am talking about severely punish this individual. He has cost us tens of thousands of dollars in property damage. Once again I am working with the administration to clean up some of this graffiti so graffiti crews from other parts of the city are going to concentrate on the South Oakland area. That's not right for the other neighborhoods but we need that additional help that Mr. Sal Sirabella, Operating Deputy Mayor is going to give us.

But I am not sure if people feel comfortable with this. If you don't, just let me know. I would like to pass a resolution, forward it to Chief Magistrate Simmons to, let him know that we believe actors such like this case and if the gentleman is found guilty, obviously it is a ledge now, if he is found guilty we want to see the maximum amount of severe punishment inflicted on this individual. You can read it the way you want, thank you. Please look at the damage that he has done.

Mr. Ferlo:

Obviously I support the resolution. All of us, I think, we have repeatedly spoken out over the years about graffiti vandalism. I think actually public execution of the index finger would be appropriate because that is usually what the spray can paint allows this gentleman to do. I guess that would not be allowed in the civilized society.

But again what is so aggravating and Councilman Ricciardi rightfully points out to the Bates Street corridor, but it happens throughout our district. But the Bates Street corridor we are spending all of this money now with the increased revenue from the business improvement district and

presumably Public Safety and cleanliness for the business improvement district in Oakland is a high priority. They will be cleaning up some of the graffiti in the perimeter of the business improvement district, but it is the main streets leading up to the bid area where it looks like a combat zone. And, Councilman Ricciardi rightfully points out the Bates Street Corridor. It is just unbelievable how it has deteriorated over the last five or six years. It is a student ghetto.

I am very concerned that the administration whatever well intention Council's actions were in the past on amending the graffiti bill, we have not seen a commitment by the administration. They have apparently hired yet another contractor, I believe Mary Anna Richards, I believe, who is supposed to be out there hitting the ground running shortly with the weather warming up. But I would ask the administration to please make the Bates Street corridor and the other corridors leading into that business improvement district a high priority. It doesn't make any sense to clean up the Forbes, Fifth corridors and then have the other main primary routes leading into the corridor look like a combat zone.

But I don't know if there is anything else we can do. I think we have extended ourselves to whatever we can do within local municipal law for the graffiti vandalism fine and cost and community service and you name it. It maybe appropriate now that we would ask that the state legislature find some other way to give local magistrates and chief magistrates like Judge Simmons other tools that they may need to come down on individuals.

The other thing that is depressing,

even if you agree with the obscure argument of graffiti vandalism being in some form of public art, I would ask that the graffiti community out there, I mean there are any number of opportunities to participate in community mural projects including a lot of self expression. I don't understand why we can't get some of these other individuals involved. I think mainly that is not what their intent is. I don't think their intent is public art or public expression.

I would ask that the chief magistrate do whatever is in his power because the property damage is in the tens of thousands of dollars. The gentleman who called me from South Oakland, Mr. Ricciardi, owned several buildings and he is one of your good friends, Mr. O'Connor. He is very concerned and very upset about what has happened and it is just wrong. It is a disgusting atmosphere in which somebody has to return home to their private home and it is just an outrageous offense on commercial properties and it should be stopped.

This is I think this maybe the second or third time this individual has been caught and I agree with Mr. Ricciardi whole heartedly. But public education of the index finger is --

Mr. Onorato:

Let me chime in here. I want to add my support to Councilman Ricciardi's resolution. I would also like to make a friendly amendment to add onto it because it appears that society has gotten away from holding actors responsible for their actions and that's why you see this increase in these types of activities. I would like to ask the Law Department in addition to what

Councilman Ricciardi is asking. We have to know if we're allowed if this individual was found guilty and he hasn't been found guilty yet. But if he is, I mean there should be a way that they put on some kind of work outfit that identifies him of being found guilty for doing this and sit there and scrub this wall or come up with thousands of dollars. If they don't come up with it, they sit in jail one or the other. But have I no problem with public humiliation once somebody is found guilty.

We better wake up to the realization that this is not kids play any more. If someone wants to just spray paint a private property or public property and they get caught and they are found guilty, I have no problem with hundreds of people driving to work everyday seeing somebody identified in a uniform as being found guilty and part of a work gang cleaning up a wall. I think we should do it, I think it should be done to anyone found guilty and that sends a strong message. If it takes two, or three or four people to be public humiliated to send a message to stop others from doing it, I am all for it. I think we should do it and I think we have a legal right to do it.

I would like to have the Law Department give me an opinion and telling us one isn't allowed. And if it isn't, I want to see where the courts have said it is not allowed. Because I know other states are doing it and I frankly am sick and tired of it. We went through a playground being burned down in my district last year, caught the individual we have him doing some public works, but it was a juvenile. This individual is not a juvenile. I don't think it is a juvenile.

Mr. Cohen:

He has been doing it for 20 years.

Mr. Onorato:

He probably has a pension from the spray painting industry. But I would say that we publicly humiliate the individual and put him to work cleaning up the walls that he painted. If Councilman Ricciardi doesn't mind, I would like to have the opinion from the Law Department if that is allowed.

The Chair:

I understand the hearing Monday and I made a call too that it was postponed because I think there are two of them and they didn't have an attorney. I think the magistrate is sending a strong message better come back with an attorney. I believe it's April 7th and I urge anyone in the Oakland area to be there. I also ask our police detective or operators to check I understand his insignia is all over so they can track it just like handwriting so that this person again -- how old is this person? I have heard his name for years.

Mr. Cohen:

He has to be in his 30's by now.

The Chair:

So he should either be made to fix it, paint it, clean it or pay for it and no other choice. I certainly think the will of the people are here and this is a -- if this is an expression, yes there is a brand new building that the University of Pittsburgh put up at Atwood, brand new brick it is sprayed there. This is a crime. This isn't some kid putting Johnny loves Mary down. So this is really outrageous. And, Mr.

Ferlo, I agree with you. One finger, two fingers let's -- I hope our magistrate got the message and the people of that neighborhood are going to be there in person to really show what that person has done to the community and it certainly sends a bad influence all over.

Mr. Ricciardi:

I just want to thank all colleagues. But, Mr. O'Connor, I think you are absolutely right when you mention about the detectives. We have to make sure that we are organized and that we have our people there because people have vacation days, sick days. So I think we have to make sure that we are organized on our end to present a good, decent case to make sure that if these people are the actors that the decision comes down on our side. So, maybe I can take the lead on that and keep everyone abreast of what is going on. I will see everyone April 7th.

The Chair:

Also, make sure I know a lot of judges are running for office, I think it is a time to have tough judges. So hopefully whoever is the judge for this person is the right judge.

Mr. Ricciardi:

Nice high profile case.

Ms. McDonald:

Thank you. I just have two things. One should have fallen under unfinished business but I don't know, maybe I missed when it was called for unfinished business. But the TIF committee, I will be in touch with all Council members as well as Dr.

Mulugetta Birru, Mr. Steve Leeper, Mr. Ron Suber, President of the School Board, Mr. Rick Fellers who is the Business manager there to convene our first meeting of the TIF committee. We want to insure that even though the Mellon TIF and the PNC TIF, First Side TIF, which really hasn't even been discussed on Council but is moving. That even though they have been grandfathered and do not fall in the auspices of the amendments to the TIF legislation, that there is still some monitoring and some review of what they have done so far particularly in terms of minority contracting, employment, etc. Where are they with this and to report back to Council?

So that I will be in touch with all of you all as well other officials in terms of a meeting, which should occur within I would say two to four weeks. That should have been under unfinished business.

The Chair:

If I could echo in, we have two proposals that I would like to share with you and be part of that committee.

Ms. McDonald:

Exactly. Outside of the TIF, this is under new business. In meeting there has been an African-American Business Roundtable Committee slash Information Exchange Committee that was convened by minority enterprise corporation. Sharon Williams is the Executive Director there to discuss opportunities for minorities, for business opportunity in terms of Plan B as well as the myriad of economic development initiatives in this region. And to make sure that the minority business community is on top of things and basically

in the fore instead of always chasing the opportunities. In the meeting this morning what was not even strange but what was interesting was that even amongst the members there that there was not clarity, no full clarity in terms of all the financial assistance that is available out there and where these entities are.

We talked about many different pots in terms of bonding, in terms of revolving loan funds, what is for minorities, what is for this, the county, the city, etc, etc, the URA. If it is confusing to us as members of this committee, I can't imagine what it is like for minorities and women and disadvantaged businesses out there who don't know how to access the moneys to be able to make a go of these opportunities.

So I will be formally asking the City Clerks Office to convene a televised Post Agenda to discuss the financial opportunities that are available, with the URA, private entities, the city, the county, etc. I will be collaborating with Councilman Udin as well as Councilman Hertzberg of the URA on this but it should be cablecast to alert the general population out there as to where are these pots of monies? How are they accessed? How many are there? And if it looks like it's confusing, then we seriously need to discuss collapsing some of them so that it makes it easier to access. If it is confusing then it defeats the purpose of having these pots of money out there. It needs to be easy to access and easy understand for the general population. I would hope to be able to convene this as soon as possible. This should also be on a fast track to alert the community.

Mr. Ferlo:

Thank you, Mr. President. Very briefly, I have been asked to serve as honorary chair of an effort to raise some money for the Greater Pittsburgh Community Food Bank.

Last year you may remember Comedy Relief, we raised about seven thousand dollars. This year again we're having Comedy Relief II and this year it is going to be held at the Rose Bud Cafe on Smallman Street. It is \$20 all dollars raised that evening go to the Greater Pittsburgh Community Food Bank. It's going to be a great, fun event. I have tickets that I am willing to pay for to extend an invitation to all of my colleagues to be there that night up on stage. We have a lot of great local comic acts. I am particularly anxious to see Gene Collier from the Post Gazette. I am sure that's going to be a rare situation that evening. Also, Chilly Bill Cardille will be there and Stephen, Steve Luncinski, from Chiller Theater days and eight or nine local great comedians that have performed throughout Pittsburgh area and around the country.

Again, that is Rose Bud Cafe, you can pay at the door, \$20, Saturday evening, April 3rd, and following that there is a great show by a local band, House of Soul. So it's going to be a great fun evening at Rose Bud Cafe. I want to thank Robin Fernandez and the staff there for helping out and donating their time. If you need more information, you can call my office at 255-2140. That's Comedy Relief to Pittsburgh on Saturday evening April 3rd. It's going to be a great event, seven o'clock.

Secondly, Mr. President, could I ask for a report back from Director Costa from General Services? I have been approached by and I am not sure what all the facts are,

but I have been lead to believe that the Harley Davidson Company, which is a local Pennsylvania company that makes obviously motorcycles is willing to give trade for trade. They are willing to give a new motorcycle for a previously owned City of Pittsburgh motorcycle. I am wondering if that is the case that that information is correct that I have received? If it is, I don't understand why we can't take them up on that deal.

I don't know why we would go through competitive bid and spend money if there could be some kind of quit pro quo. I am still concerned about our '97 motorcycles, maybe Mr. Diven knows more about this? Usually when we bought motorcycles, they were good for a number of years. So I would like a fuller explanation from Director Costa on what is or is not the facts regarding upgrading our fleet of motorcycles and the veracity and the appropriateness of the offer being made by the Harley Davidson Company of Pennsylvania.

Mr. Diven:

Just to follow up on that question, I too was approached by some people in our traffic division regarding an offer that was on the table from Harley Davidson, where they would take I believe 25 1997 motorcycles, take them and trade them in for 1999 motorcycles at no cost to the city. So they would drive in with a '97 and drive out with a '99 with no money exchanged.

Talking to some of the people regarding this, what they are saying is Harley Davidson is in the process of I guess developing a new line of bikes. They want to clear out their newest inventory and with the resale value of the old Harley Davidson

bikes being so high, they can do this by just not collecting the markup from each of the motorcycles.

I had the opportunity to talk to the administration. They said that they were definitely looking into the possibility of doing this and they are supposed to get back to me with a report as to what direction they're going to go. I think it is any time you have the opportunity to take motorcycles that have two years of wear and tear on them and turn them in for brand new ones, it is something that we should at least put every effort into pursuing.

Mr. Ferlo:

I would like to maybe be involved in some meeting. One, I definitely want to favor a Pennsylvania Corporation like Harley Davidson and most if not all of its product base of the motorcycle is made in America, and supports Pennsylvania jobs. But I am concerned historically the motorcycles have been great bikes for a great number of years more than just two years. I don't want to get a pig in a poke here. I mean it wasn't until Director Miskovich came along that they were finally getting twelve to fourteen thousand dollars on a resale for even a used motorcycle. In the past a lot of deal making went on with some city employees. I will leave names out.

I am just concerned about this issue now because I am hearing different, you know it is my natural suspicion when it comes to City Hall bureaucrats. But I want to know what is going on here with these Harleys?

Mr. Diven:

As soon as I get the report back from the administration I will make sure I share it with you. If we want to set a meeting up, I am with that idea as well.

Mr. Ferlo:

Thank you.

The Chair:

I believe they have been very cooperative. I worked with them recently on another thing involving motorcycles and they have been trying to get more city business. Do you know if there is a time line on this?

Mr. Diven:

I believe it goes till sometime in April.

The Chair:

We can meet with Mr. Costa right away to find out. I am on the equipment leasing, what the plans are.

Any other discussion? Approval of the minutes.

MS. MCDONALD moved to approve the minutes.

MR. FERLO seconded the motion.

Which motion prevailed.

MR. ONORATO moved to adjourn the meeting.

MR. FERLO seconded the motion.

And on the motion made by Mr. Onorato,

the meeting adjourned.

ADDENDUM

Mr. Udin's comments on Bill 1357 can be found in the Standing Committee Meeting minutes of March 3, 1999.

Mr. Hertzberg's comments on Bills 1303 and 1305 can be found in the Standing Committee Meeting minutes of March 10, 1999.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXIII

March 23, 1999

No. 12

Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, March 23, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

All please rise for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

We have two special guests with us, nine-year-old Anthony Zupanek and ten-year-old Joshua Coennen. They both are in the fourth grade at Carmalt Elementary School and are accompanied by Anthony's mother, Jeanne, who is the Treasurer for Overbrook Community

Council. They reside in Councilman Diven's District.

Anthony Zupanek and Joshua Coennen:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you. Nice to see a salute this time. We have many special guests in the audience.

PRESENTATIONS

Mr. Cohen:

Thank you, Mr. President. Joe Costa from the Pittsburgh AIDS Task Force please come up. Is he here? I heard he was in the room. With or without Mr. Costa I think he is here, thank you.

Mr. President, why don't we have another proclamation until Mr. Costa comes back. Thank you very much.

Mr. Diven:

Thank you. With us today, we have some very special guests from the Women's Center and Shelter for Greater Pittsburgh. They're celebrating their 25 years in business and also trying to bring some light to a fundraiser that their center

is currently undertaking.

With that, I will ask you to introduce the group. We have a proclamation here, but let me read this first. The work that these people have done for the past 25 years, is some of the most important work in the City of Pittsburgh. We thought it was appropriate to make sure that you all had the opportunity to come down and be recognized for your service and your dedication to the community. So with that I will read the proclamation.

MR. DIVEN AND ALL COUNCIL MEMBERS PRESENT:

No. 1413 WHEREAS, the Women's Center and Shelter of Greater Pittsburgh began with a small group of women in 1974 as a drop-in meeting place and has grown into one of the country's leading programs on domestic violence with a staff consisting of nationally recognized experts in the field and;

WHEREAS, the Women's Center and Shelter has worked diligently to overcome many obstacles and to increase public awareness about domestic violence and;

WHEREAS, the Women's Center and Shelter worked alongside legislators to have domestic violence recognized as a crime and as a community problem and;

WHEREAS, this year, 1999, marks the 25th anniversary of the Women's Center and Shelter of Greater Pittsburgh with many special events planned to raise awareness about domestic violence and to celebrate the past twenty-five years and;

WHEREAS, on Tuesday, March 30, 1999, the second annual "Dine Out Nite" will be held to kick off the 25th anniversary celebration and local restaurants will donate a portion of the evening's proceeds to the Women's Center and Shelter.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend the Women's Center and Shelter of Greater Pittsburgh for the important work they do in providing a safe atmosphere for women and children in crisis and congratulates them on their 25th anniversary.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Tuesday, March 30, 1999, "Women's Center and Shelter of Greater Pittsburgh Day" in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Diven:

You can have the microphone so you can introduce the guests.

Ms. Reagan:

Thank you very much. I would like to introduce Ronda Nesbit, who is our Board President, Pat Violey, volunteer former board member, Cathy Whitely worked at the Women's Center and Shelter the longest as a paid employee. She is the Manager of our Children's Program. Jeff

Dunmar is new and he works in our school programs, working with breaking the cycle of violence. Maureen Hetrick is our Developer Director. We have a very special guest with us today, Ann Statler, who is a founding mother of the Women's Center and Shelter 25 years ago. And she is still a very active volunteer with us.

I would like to take this opportunity to thank the city very much. One of the reasons why the Women's Center and Shelter of Greater Pittsburgh is such a success is because of the people of the City of Pittsburgh. We have had a tremendous amount of community support and it is what has brought us altogether and into the forefront of our nation in the work that we do in domestic violence.

I want to take this opportunity to thank all of you and the community of Pittsburgh.

The Chair:

Thank you.

Mr. Diven:

Would anyone else like to say a few words?

Mr. Cohen:

I wanted to take a moment to congratulate the Women's Center and Shelter. I think that you are an example of how things could truly get done in Pittsburgh in a way that becomes an important institution in Pittsburgh. There is a social problem and a serious social problem and that is abuse, abuse of women and children usually in the domestic context. And people like yourself many

years ago decided we're going to do something about that. How do we solve that problem? And the truth is it is a multi faceted resolution to that problem but one of them is to have a shelter. A shelter for people to go and be able to rebuild their lives.

The Women's Center and Shelter, and I obviously will not give the address, but it lies in the area that I represent has done a remarkable, remarkable job in addressing that need. I can't believe that you're 25 years old, because it certainly doesn't seem that long. But congratulations on doing a remarkable job.

Mr. Diven:

Maybe Maureen if you would like to come up and talk about Dine Out Night and some of the restaurants that are participating and how it's going to help the center out and provide the resources to continue the work. I think, hopefully people watching at home and some of the media can make people aware about this important event and bring some attention to it.

Ms. Hetrick:

On Tuesday, March 30th, will be the Women's Center and Shelter Second Annual Dine Out Night where we have participating restaurants throughout the city and county donating a portion of their proceeds from that evening to benefit the Women's Center and Shelter.

Some of the restaurants are Cafe Sam in the Shadyside area, Cafe Mimi in Swissvale, Jimmy G's in Aspinwall, Rico's in North Hills, Piccolo Mondo in South Hills, Buffalo Blues in Shadyside.

Mullaney's Harp and Fiddle in the Strip District. It should be a fun night. It is an opportunity for people who support the Women's Center and Shelter to come together, to enjoy a nice meal, to meet other people who are working and volunteering to support the Women's Center and shelter. Basically everyone has to eat, so let's eat together to support the Women's Center and Shelter. Thank you.

Speaker:

Mr. President, can we turn the microphones on we can't hear a thing back here? Turn it up so we can hear.

Mr. Cohen:

Joe Costa, from the Pittsburgh AIDS Task Force come up. Can you hear me okay? Just like, much like the Women's Center and Shelter, the Pittsburgh AIDS Task Force also has done a remarkable job in the City of Pittsburgh to address a serious, serious problem. And that is the problem of HIV and AIDS in the City of Pittsburgh. And despite some of the things that you have read about this, there is not yet a cure for AIDS although they're certainly, we certainly made a tremendous amount of progress in treating people with HIV and people with AIDS.

The Pittsburgh AIDS task force is having an event on April 7th we're they're bringing August Wilson's *Fences* to Pittsburgh at the Public Theater on April 7th and I wanted to give them recognition of that fact this morning.

MR. COHEN PRESENTS:

No. 1414 WHEREAS, The Pittsburgh AIDS Task Force which was

founded in 1985, is an organization of effective and compassionate volunteers who provide medical, emotional and legal support to AIDS victims and their families; and

WHEREAS, although many recent headlines have been misleading, there is still no cure for AIDS; and

WHEREAS, new therapies have dramatically increased the life expectancy of people living with AIDS, creating a greater demand on PATF resources; and

WHEREAS, the Pittsburgh AIDS Task Force has expanded HIV testing services and now provides assistance to people living with HIV/AIDS in Fayette, Greene, Washington and Westmoreland Counties; and

WHEREAS, on April 7, 1999, the Pittsburgh Public Theater will present a performance of the August Wilson play *"Fences"* for the benefit of the Pittsburgh AIDS Task Force as a means of raising much needed funds, increasing awareness of the agency and allowing it to continue to lead prevention and advocacy initiatives.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend the Pittsburgh AIDS Task Force and proclaims April 7, 1999 "Pittsburgh AIDS Task Force Day" in the City of Pittsburgh.

MS. MCDONALD moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Cohen:

We have Joe Costa here from the Task Force, who is Executive Director, who is Director of Development for the task force and we want Joe to accept this proclamation on behalf of the City and please tell us something about the event. Thank you.

Mr. Costa:

First of all on behalf of the Pittsburgh AIDS Task Force and the many clients it serves, I want to thank City Council for supporting the agency and for this proclamation. Also you're not the first to make that mistake. I just got this job three weeks ago, and in the Tribune Review said I was Executive Director as well. So you read the article.

Our association with the Pittsburgh Public Theater is very important. They did the very first raiser 13 years ago for the Pittsburgh AIDS Task Force and each year since then have provided us with a house for one night to raise funds for the Task Force. It continues to be one of our largest source of income. So the fact that we have this proclamation we're very appreciative and hope that many of you can join us on August 7th for the play Fences by August Wilson.

I also just want to take this opportunity and it must be a common way to raise funds is by dining out, tomorrow 40 restaurants in Pittsburgh will donate a portion of their proceeds to the Pittsburgh AIDS Task Force. While forty is too

numerous to go through, just to let you know downtown it is Tessero's's Restaurant, Dingbats, Pittsburgh's Fish Market, and Steelhead Grill will all be donating a portion of every dollar spent tomorrow to the Pittsburgh AIDS Task Force. Thank you very much.

The Chair:

Members of the American Diabetes Association please come up. We have David Donahue, the Area Executive Director of the Mid Atlantic Region, Nancy Gallagher, and Mary Coritcowski with us from the American Diabetes Association.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 1415 WHEREAS, nearly 16 million Americans have diabetes, a disease with no cure that impairs the body's ability to convert sugar into energy; and,

WHEREAS, diabetes is the sixth leading cause of death by disease in the United States; and

WHEREAS, in this year alone, more than 798,000 Americans will be diagnosed with the disease and 187,000 Americans will die from it; and,

WHEREAS, people whose diabetes goes undiagnosed and untreated are subject to any of its serious conditions, such as blindness, heart disease, kidney disease, stroke and leg or foot amputation; and,

WHEREAS, an increase in community awareness of diabetes, its human impact, and the American Diabetes

Association, may stimulate public action in increasing research towards a cure, and spur better treatments for people with diabetes until that cure is found.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby encourage and ask that every individual take the Diabetes Risk Test. The Diabetes Risk Test is a questionnaire that will be mailed to your home when you call 1-888-DIABETES. Please call today

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare March 23, 1999, as "American Diabetes Alert Day" in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

I understand you want to say a few words first and then we are going to show you how easy it is to get a test. We have a couple guinea pigs, you're looking at one.

Mr. Donahue:

Today is American Diabetes alert. This is the 11th anniversary of this one-day call to attention of this disease. The big numbers that were cited in the proclamation, as big as they sound if you think of them in terms as one out of every 14 people in the general population wage a daily fight against diabetes, that's about 87,000 people here in Pittsburgh and

Allegheny County. Tragically one out of three of those about 37,000 are unaware of it.

As part of our American Diabetes Alert Activities today from ten a.m. to 2:00 p.m. the American Diabetes Association is partnering with UPMC Health Systems to do free blood glucose screening in the lobby of the City Council Building. We are encouraging all of you to take advantage of that opportunity as you leave the session today.

Among our new guidelines are that all people over the age of 45 be screened for diabetes and be screened every three years. And it's a great opportunity and we appreciate the cooperation of the City Council to help us out with this project.

I would like to introduce, Dr. Mary Coritcowksi, she is the Medical Director of the Center for Diabetes and Endocrinology at UPMC Health Systems to share just a little bit more information about this disease called diabetes.

Ms. Coritcowski:

Good morning, first. You all have a lot of information about the numbers of people with diabetes. I would like to call your attention to the fact Pennsylvania is a particularly hard hit state. 1/16th of all the people in United States of America who have diabetes resides in the State of Pennsylvania. And as you heard from Mr. O'Connor diabetes is a disorder that is associated with complications such as eye disease, kidney disease, nerve disease and heart disease. Now this is a case of where what you don't know can hurt you. As was said, one out of every three people with diabetes don't know they have it. And

that's a problem because it gives the complications a head start.

If you have diabetes and you find out early these complications are preventable. We would encourage all of you to come and take the diabetes risk test. If you are at risk, we can do a blood sugar while you're here today and find out if you have it and refer you for treatment. Thank you.

I would like to thank the Council for supporting this activity.

The Chair:

Nancy just gave me the risk test and I'm at risk.

Ms. Gallagher:

We might read over some of these risk factors just so we know what they are. If your weight is above the weight indicated on this chart. If you are over 65 years of age. If you are between 54 and 64 years of age. If you are a woman who had who a baby of greater than 9 pounds and if you have a sister or brother who has diabetes or if you have a parent who has diabetes. All of those have to be added up and if you come up with a tally greater than a certain amount, you're at risk and you in fact need to have your blood sugar checked.

Valerie, while you are reading through that, if you could go through that and see where you fall. Then I will come over and do yours next.

The Chair:

Valerie's not overweight. She's under 45 and she is ok.

Ms. Gallagher:

Once you have gone through the test in the brochure and once again that is 1-800-DIABETES number, all you have to do is call 1-800-DIABETES and they will send this brochure to your home.

And what we're going to do is after that, if you come up with a higher score then you need to have your blood sugar checked. We're doing it today at the William Pitt Student Union and also in the lobby of this building.

The Chair:

Didn't even hurt. Thanks for your help.

Ms. Gallagher:

The test is very simple. It just takes a very short period of time.

Please come down to the City-County building today and also to the Pitt, the William Student Union. The other thing is that there are six other sites that are going to be throughout the spring so if you are interested you can call 647-UPMC and they can tell you of a site that you can go to that is near to your home.

The Chair:

You will be doing that all day today here and at Pitt?

Ms. Gallagher:

From ten to two today at Pitt William Student Union and also in the

City County Building lobby. Your number was very good Valerie.

The Chair:

Some to be read into the record.

MS. MCDONALD PRESENTS:

No. 1416 WHEREAS, on Tuesday, March 23, 1999, the world renowned, Count Basie Orchestra will give an exclusive jazz performance at Schenley High School located in Oakland; and

WHEREAS, the world famous Count Basie Orchestra is under the leadership of Conductor, Grover Mitchell; and

WHEREAS, although Mr. Grover Mitchell was born in Alabama, he was raised in Pittsburgh, Pennsylvania and attended Westinghouse High School. Pittsburgh is where he was exposed to some of the most explosive and influential figures in jazz: Billy Eckstine, Billy Strayhorn, Ray Brown, Earl 'Fatha' Hines, and Art Blakey, to name a few; and

WHEREAS, Grover Mitchell's distinguished career reads like 'Who's Who' in jazz, playing with the greatest orchestras in the world: Lionel Hampton, Duke Ellington and The Count Basie Orchestra. His association with the Count Basie Orchestra spans twenty-two years. A relationship beginning as lead trombone player and elevating with the 'Count' as friend and companion.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Mr. Grover Mitchell for his commitment

and desire to educate our youth on the jazz of yesterday and to share in the knowledge in the jazz of today.

**MS. MCDONALD AND MR. UDIN
PRESENT:**

No. 1417 WHEREAS, on Thursday, March 18, 1999, Freedom Unlimited Inc. will honor Louis "HOP" Kendrick, Director of Minority Business Enterprise for the County of Allegheny; and

WHEREAS, Hop is a graduate of Fifth Avenue High School, he holds a degree from the University of Social Realities. He began his involvement in politics as a teenager and he has remained active for 20 years as a Democrat and 27 years as a Republican; and

WHEREAS, Hop Kendrick has served as a detective for the District Attorney's Office of Allegheny County, co-founder of the first Allegheny County Narcotics Squad, as an Investigator of Internal Affairs for the City of Pittsburgh and for the Public Defender of Allegheny County; and

WHEREAS, Hop Kendrick served in the Korean War from 1952 to 1954, when he was honorably discharged as a Corporal; and

WHEREAS, Hop has been married to Gloria B. Buice since 1954, he has three grown daughters, one granddaughter and one grandson; and

WHEREAS, Hop and his brother, Milton Kendrick, Jr., took over the trucking business their father, Milton Kendrick Sr., founded in 1932 when their

father died and remained in business until 1987; and

WHEREAS, Louis Kendrick has been a lifelong member of Carter Chapel Christian Methodist Episcopal Church and has been active in the National Association for the Advancement of Colored People all of his adult life.

NOW THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh joins Freedom Unlimited Incorporate in honoring Louis "HOP" Kendrick for a lifetime of service to his family, his church, politics, his country, and to the Pittsburgh community.

MR. FERLO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

MR. ONORATO AND MR. HERTZBERG PRESENT:

No. 1418 WHEREAS, Mrs. Evelyn Neiser began her outstanding service to the students, parents, staff and residents of Pittsburgh as a member of the Pittsburgh Board of Public Education in 1975; and

WHEREAS, Mrs. Neiser was appointed to the Pittsburgh Board of Public Education on March 6, 1975 by the Judges of the Court of Common Pleas of Allegheny County. She served until December of 1976 when she was elected in District 9; and

WHEREAS, she has served the neighborhoods of Sheraden, Elliott, Esplen, Chartiers, Crafton Heights,

Westgate, Broadhead, Observatory Hill, Marshall-Shadeland, Perry-North, Woods Run and Brighton Heights; and

WHEREAS, Mrs. Neiser has served on the School Affairs, Business Affairs, Pupil Affairs, Public Affairs, and Personnel committees with the Board of Public Education; and

WHEREAS, Mrs. Neiser served as President of the School Board from 1976 to 1977 and 1st Vice President from 1975 - 1976; and

WHEREAS, Mrs. Neiser serves the residents of District 9 diligently, making every effort to represent them to the best of her ability.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates and commends Mrs. Evelyn Neiser for her service to the Oliver High School community and declares Friday, March 26,

MS. MCDONALD moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Thank you very much. Now move to --

Mr. Ferlo:

Point of order. Mr. President, the City Solicitor apparently, and I just read this today, has offered an opinion which is

a response to I believe Councilwoman McDonald initially raised this issue about a month ago. I asked for a legal opinion because I was not aware of the change in the state law. And if I understand this correctly, it implies that we have an obligation not only legally but I think there is nothing inappropriate about this, I think it would increase the level of citizen participation at our meetings and public notification. But implies that we need to at some portion of each meeting that we hold both the Standing Committee Meeting of last Wednesday as well this final legislative meeting that we need to have some part of the agenda, I assume towards the beginning of the meeting, an opportunity for individuals to speak about matters that are pending before us for final action.

Now it is true that we did take a preliminary discussion and vote on some of the bills that are up today. I think based on this opinion and my conversation with Council's Solicitor here, Mr. Hertzberg, it would seem appropriate that we need to resolve this matter today, right now. I would like to suggest that either we get the Solicitor up here to offer a problematary procedure suggestion or I would further state based on my motion that we allow an opportunity now for residents who may have been in chambers today who want to address an issue prior to our final action to speak.

I would suggest that they be allowed to speak and give their name and address at the microphone and that we establish some kind of democratic time limit for those individuals to speak and address Council. But for purposes of discussion on procedure, I would like to make this in the form of a motion that now

in changing our format for today's meeting and in the future legislative meetings that we allow an opportunity for residents to speak in the beginning of the sessions following proclamations prior to any final action on the ordinances and resolutions. And that the President do it based on Roberts Rules of Order with a two or three minute time limit.

I would like to make that in the form of a motion.

MR. HERTZBERG seconded the motion.

The Chair:

Second for discussion.

Mr. Hertzberg:

Mr. President, there maybe a lot of ways that we can try to technically look about getting around these new amendments to the sunshine law. I don't think that is what this should be all about. We should be trying to comply with the sunshine law.

What I think the amendments to the sunshine what they are really trying to say is at the beginning of every meeting you should have public comments. The comments are the same type we have been having Wednesdays at the end. But the desire is to have them -- the law says the intention is to have them at the beginning of the meetings, particularly so that there will be public comment before any action is taken on legislation. And as well as just comments that we sometimes get that don't involve pending legislation. But particularly when there is pending legislation.

I know that there are some members of the public here today that I think want to comment, maybe they don't. But I think under the amendments of the Sunshine Act we should start today to comply with it and that's why I second the motion and support doing this. I think right now is as good as any at the end of the proclamations to have it.

Ms. McDonald:

Yes. I will support that motion. I do want to say to Council that due to a cold that I caught, I was not able to draft the legislation I intended to draft to revise the one paragraph in our rules of Council which addresses, it was from 19 -- I don't remember, it was from 1990 something. I believe Jack Wagner was the President at that time that the rules of Council were adopted such that the provision at that time for the Sunshine Act were incorporated in our Standing Committee in terms of when people could speak. It is in that paragraph that it says that the people would be able to speak or testify after the legislative, excuse me the Standing Committee Meeting.

What happened was it was not really to raise such a legal issue as much as a practical issue where we were in Standing Committee a couple of weeks ago and there was a gentleman there with a baby. He had waited at least two and a half to three hours to speak for a lousy stinking three minutes. I didn't think that was very fair and it basically alerted me why can't we let people who do come in at ten o'clock in the morning speak and get it over with and they can go on their business? Why should they have to wait around for three hours? Why should they have to wait for three hours or so when it's

their right to speak? So it is like punishing them for exercising their right to speak to us. And that's why I had conveyed a memorandum to Council why can't we do this in the beginning instead of waiting towards the end?

Then it was Councilman Ferlo who had asked the Solicitor's Office for an opinion where there was an amendment to the Sunshine Act and you have that. In fact I believe the Senate the actual state legislation is attached. But it does bring up the whole notion that that entire paragraph needs to be rewritten. What I wanted to do is not write this in a vacuum, but to talk with all of you all. So we can be on the same page in terms of how we are going to revise that one rule of Council to address every meeting and how we're going to do it and what can be done and what can't be done?

Mr. Ferlo:

My motion for today is to resolve today's situation. I think between now and the next meeting we should resolve what Councilwoman McDonald speaks about both the Standing Committee and the final legislative meeting. But for purposes of today and to make our appropriate actions final and not be open for any consideration of challenge and also to comply with the spirit of law, which I think is a good way to increase community participation. That's the spirit in which I am offering the suggestion.

Mr. Ricciardi:

Colleagues, I apologize. I didn't hear much of the discussion but I think I understand the jest. Let me just say the Pittsburgh Water and Sewer Authority we

allowed a contractor slash vendor to speak before a vote. It was very helpful and beneficial as a matter of fact the vendor had raised some interesting questions and concerns to the extent, Mr. President, that we did not move. We did not have action. We did not vote on the bill before us because we thought that he had brought up such important information. If he would not have spoken before the bill, it was on the agenda and you know, Mr. President, on the authority once it makes the agenda it's usually a done deal and it usually receives an affirmative amount of votes.

So again, I apologize colleagues, I didn't hear what the resolution was before us, but if we have any individuals that are willing or would like to speak today I don't have an objection to it. Thank you.

The Chair:

Actually I agree and we brought it up yesterday. Mr. Udin and I having crossed paths because he was out of town and I was out of town. We had your suggestion, Ms. McDonald, I believe in the past like you say the gentleman had to wait I think three hours to speak three minutes, it really wasn't fair. I was concerned about the Standing Committee, this meeting here I mean, the Legislative Meeting that it would pertain to action as the people here I believe would want to speak to address an issue coming in front of Council and not just the normal I need my lot fixed. I don't know if we can keep, again I need the legal answer and I didn't -- it wasn't that clear that people speaking today would have a final word before we took a final vote and possibly Wednesday whether it be morning or afternoon could be a general topic and 90% of the topics were general and weren't specific to legislation.

That's the only thing I would like to coordinate with all of you. But certainly today I think it is very appropriate and anyone who wants to speak certainly would be speaking I believe on an issue at hand before we have a vote.

Mr. Hertzberg:

It is pretty clear that either they are permitted to speak on matters of concern or official action.

The Chair:

It is before every meeting and that would include any post agenda, any hearings.

Mr. Ferlo:

My motion is on the floor. I think it is clear. I would also suggest that we proceed with my motion as amended and as seconded by Mr. Hertzberg. But that between now and the next meeting, the President meet with colleagues and the Law Department we further clarify this and actually come up with appropriate language to modify Council's rules and bylaws.

But for purposes of this meeting I think we should comply with both the spirit and legally and moral spirit of the expanded sunshine progress.

The Chair:

We will do that today. Normally I believe we would keep our normal schedule for tomorrow. But by next week we should meet with the Law Department to have a specific agenda and on each agenda, time, whatever.

Ms. McDonald:

I would want though to make sure that no matter what, that we hold meetings of order and that it's reasonable and feasible. That it is not a free for all. There are ways of doing that. Back in '93 I believe there was a suggestion by the Solicitor Office to have a sign in sheet for people who come in so we know who wants to speak. Who is out there in the audience just to listen, who really wants to testify and to allow them that opportunity to speak? But a sign in sheet and to allow a certain -- you don't have to have -- in other words here is Standing Committee we have three hours of discussion, you think I want to hear three hours of testimony too? To me that's a separate Public Hearing all together, but there is a way to do that where you designate a certain amount of time for people to speak especially if it is done in the beginning of our Standing Committee Sessions.

Allocate a certain amount of time or certain number of speakers and if it gets too lengthy we can always according to the memorandum hold that at another time, but it has to be prior to any action. So there are ways of doing it.

Mr. Ferlo:

It would have been nice if the state legislators would include their two bodies in this requirement because if there is anyone that needs Sunshined and ability for people to speak it is the State Senate and the Pennsylvania House of Representatives.

The Chair:

With that said, second, all in favor.

Which motion prevailed.

The Chair:

We will allow two minutes for anyone who wants to address City Council on any issue. We have a podium and a timer. There is a podium.

Ms. Brose:

My name is Aggie Brose, I reside at 1442 Simona Drive, Pittsburgh, Pennsylvania 15201. I am here today in the capacity as the Chair for the Vacant Property Work Groups. It is under the umbrella of the Pittsburgh Community Reinvestment Group. I apologize I don't have the number of the legislation but I am sure you are all aware of it. It's the issue of a bid process where a neighborhood community group has followed the process we put in place for the community organizations through the Vacant Property Work Group and the property has full financing in place to develop it. It is in the historic Dutch Town area, it is part of a large housing development plan. And it when it came to the end of the day and the bid process and we are working on that with the Mayor's Office. Unfortunately it is happening too slow to waive the bid. There was a higher bidder and evidently he's come in with his legal attorney to say the Council is bound to deliver this property to him because he's the highest bidder.

I am sure by now you all have the issue of the Brew House in front of you. That has set a precedent. The Council absolutely and as some Council has asked for the legal ability to vote on this. And all we're asking with great respect of our

Council today is that you have the power and right to determine the greater good on this property. And this organization, the North Side Leadership Conference, that will be the developer of the property for the neighborhood groups has a track record, has financing in place.

I just feel bad that there are two sets of standards in this city to redevelop our neighborhood that is in great need of capital investment and a strategic plan that we as neighborhood groups must have financing in place to be able to put the property in our name. Other developers can come in, I have them in my neighborhood, where the city has sold property. I could take you on a tour of today that is now in worse condition than when they sold it to them. It remains a slum in my neighborhood and this is a great fear that we all face within our communities.

We're just trying very hard as neighborhood groups to rebuild our neighborhoods. And I know that a lot of accusations have been made at community leaders over this issue that I feel is very unfair. I respect Council to the utmost. I have hope you have enough information and I think you all got a copy of the Brew House results where it tells you here that if it's the greater good to the community, Council can absolutely give it to the lower bidder.

I really thank you for your time and this new policy that you put into place. Thank you very much.

Mr. Cohen:

I did not get a copy of the paper she is referring to.

Mr. Ferlo:

Brew House has nothing to do with the issues that we're addressing today.

The Chair:

Any other speaker?

Ms. Rodriguez Kraus:

Marcia Rodriguez Kraus, I reside at 212 Marsonia Street, Pittsburgh 15214. I am also the staff person for the Fineview Citizens Council as well as being a resident of the neighborhood. As with Aggie Brose's situation, we too have a project in the same condition. It's been a four-year over all project that the Council has been working on which encompasses \$1.68 million. We have financing in place. We have plans, land view studies everything that was required of the Council in order to prove the feasibility of this project.

I can't really speak for the higher bidder I don't know them personally. Basically all I do know is that they are out of state absentee landlords. At this point we don't know of whether if or how they would propose to develop this project on Jay Street. Thank you.

Ms. Eldridge:

Good morning. My name is Margaret Eldridge (phonetic), I live at 1800 Belleau Street in the Fineview area of Pittsburgh on the North Side. I am a 22-year resident there. I have seen my neighborhood go down, it is now on its way back up again. We have wonderful plans for the neighborhood. We're bidding

for a property on Jay Street. We plan to put two homes on it and regardless of the bid I think we deserve the right to make our neighborhood whole again. Thank you.

Ms. Traff:

Hello, my name is Lynn Traff (phonetic) and I live at 3340 Perrysville Avenue. I reside in the Observatory Hill section of the neighborhood. We have been working for seven years on 292 to 298 Watson Boulevard. That's a horrible apartment building that was foreclosed upon three times and it was the scene of drive by drug dealing. It is a magnet for all sorts of loitering, kids have been in there and basically have been destroying it. The city really hasn't gotten any taxes due to this particular property and Observatory Hill Inc., our community group has wished to purchase this property and turn it into elderly housing, which is something our neighborhood really, really needs.

We really urge Council to allow our neighborhood group to be able to do that. Thank you.

Ms. Glorahue:

Good morning. My name is Lynn Glorahue (phonetic). I live at 420 Lockhart Street in East Allegheny in Pittsburgh's North Side, the zip code is 15212. I am here specifically about a property that's right on my street a block away from where I live that has been vacant for the last four years. Our community Council put together with some six other houses initially in a big package really at the behest of Mayor Murphy who told us that we shouldn't just try to fix up one house but we should get a

critical mass and really try to improve our whole neighborhood not just a little spot here and there. So we put together a package of seven places that obviously needed to have something to fix them up and find owners for them.

We ran into a couple logjams with two on Lockhart Street, which is getting improved. Like since I lived there the last seven years, we really have decreased the number of boarded up buildings there and people are starting to be a little bit more interested in our neighborhood. Actually it might be a place for a person to come and make some money on a property finally, which hasn't been the case before.

But anyway our community Council needs to have the power to find a place that needs to be fixed up, put a package of financing together and make agreements with the city that we will be able to get hold of those properties and go ahead and fix them up and find people who will live in them and pay their taxes. That's what we would just like the city's cooperation in our efforts to do that.

Ms. Burns:

Barbara Burns. I live at 530 Avery Street, Pittsburgh 15212. I am also the staff person of the Vacant Property Working Group. I want you to know that this is an issue very near and dear to my heart.

I have great respect for community groups across the city who work tirelessly to try to eliminate blight and one of the strategies that we utilize is the treasurer sale. It does in fact hold people accountable. And prior to this city selling it's tax liens, it was very much a revenue

generating mechanism. We believe that that was short sighted that the issue here is really to remove blight as well as tax delinquency from our communities.

The issue that I would like to speak to and I think you need to read this decision because we have had differing opinions and obviously we don't agree with your law department. You did take a higher road in my view with the Duquesne Brewery. If you look at page four, I will read it. The controlling issue is whether the legislature intended to compel the city to utilize a procedure for disposing of properties acquired at the treasurer sale that is likely to produce the highest priced sales price or whether the legislature intended to permit the city to dispose of property acquired at the treasurer sale in a manner that also takes into account the interest and the needs of the community even though such a disposal does not necessarily produce the highest sales price.

It is absolutely disheartening to neighborhood leaders as well as residents to seek property sold by the city and have the blight continue. You have an opportunity, in fact you have an obligation, to help stop this kind of crap. In my neighborhood I get real emotional, talking about this. The house on Lockhart Street, in particular the man who wants to purchase this is tax delinquent. It's a fact. He bought a building in Polish Hill that was tax delinquent. I commend him for that, but when he purchased that property he assumed its debt. He should pay it here or at Capital Assets. But since he owned the building he became tax delinquent on his own. He did not pay his '98 taxes, he did not pay his 99 taxes, he didn't come like many people in this city and make a payment plan.

Now because he wasn't delinquent at the time he submitted a bid that is supposed to be moot point. It is not moot. It is important. People in this city who try to buy a side yard that some times takes forever. As we know they have to be re-certified all the time by real estate that they are in good standing not tax delinquent, community groups have set in place with the city high standards of performance, financing and that we too will not be tax delinquent.

We have rose to that occasion. I think it's a good standard and some little technicality a person wasn't tax delinquent at the time they placed a bid. You have not sold this property to date. Hold him to the same standard that you would hold some nice little old lady for the house too. You have the power to do it, you ought to exercise it or your going to see blight continue in my neighborhood and in other neighborhoods. Your smarter than all that.

Mr. Manyon:

Council, my name is William Manyon (phonetic), I am an attorney with offices at 505 Court Place. I just want to respond to Ms. Burns. The property in question was bid on over a year ago. The person had zero tax debt at the time. He should have been in the property while he still had zero tax debt. This dragged on a long time because of pressure from who knows where except that the community group kept telling us that the pressure originated with them. Who it went through at the city we're not going to say, but it originated with them according to their own statements.

The man bought property on Polish

Hill. He's renovated property on Polish Hill. He is in the midst of renovating one of them that's a major, major renovation. The other one is already completely renovated and back on the tax rules and yes there was tax debt paid.

To say he didn't pay '98 taxes is not true. To say he still owes some '98 taxes is true. He has paid in tax and fees he's paid over 90% of what is owed and he still has if you consider '99 in there together he's paid at least 80% of what owes. If that's not a good faith effort then the bar is too high.

He's definitely not a slumlord. He's definitely adding to the city. What is being done is unfair and there is a hidden agenda that I have all told you about previously. I am not going into it now. Thank you.

Ms. Watworth:

Good morning. My name is Delores Watworth (phonetic) and I am with the Fineview Citizen Council. I was born and raised in Fineview, so I am going to tell you my age, 69 years. I have seen Fineview come and go and I have seen it come slum. I have seen it be proved and about six years ago when we did Fineview Crest One, it did such an impact on our neighborhood, we have all kinds of people now that want to come up and live there. Now we're doing Fineview Crest 2, it is a \$1.6 million with the URA and we want the property on Jay Street, it is part of what we want, we want to rebuild.

It is a beautiful section of our neighborhood where people could come and live and enjoy the view of the city. It will bring in taxes for you. It will bring in

better families in Fineview. What we're trying to do is get family owned people there not renters, not landlords that are in Florida who don't even know who lives in that property. I know who lives in that property. I see it all the time. I have their kids up in the playground.

You need to consider that Fineview needs to have homeowner people up there. We need to beautify our neighborhoods. We need to make it drug free and all that. We can't do that if we can't have the property that we need for our \$1.6 million. Please take into consideration that we are and we want to help the city bring people back to the city but we can't do that if we have slum landlords.

Mr. Fatler:

I guess I arrived just in time. I am Mark Fatler (phonetic). I am here representing the Allegheny West Civic Council. We don't have a property in the sale as I recall. But I am here in support of the issue. It seems to me that Council has a couple of questions. One, does it have the authority under the City Charter to accept or refuse a sale? I think it is very clear that because you have to vote on this and it takes action by the Mayor that you have the authority and in fact the obligation to review the sale.

The second question is on what criteria you exercise that authority? It seems to me that there is nothing limiting in any of the materials I have heard or any of the arguments that I have heard that limit you to making the choice solely on the issue of price. In effect it seems to me that you have the obligation to make a choice based on what ultimately produces the best result for the city as a whole.

What produces the best common good? And in this case you have a choice between property without a development plan, a buyer who does not have a development plan, does not have financing and the non-profit agency which was required to produce those things before bidding. You also have a potential buyer with a tract record in that respect and another buyer who has a tract record of tax delinquency and no track record of developing the properties purchased through the city as of yet.

You have the power and the obligation to make the choice based upon what produces the greatest good. And I suggest to you that in this instance that is to exercise it on behalf of selecting the bidder with the likelihood of producing positive development. Thank you.

The Chair:

Deputy Mayor Cox did you wish to address Council?

Mr. Ferlo:

There is a property today for final action for Allegheny West also.

Mr. Fatler:

Oh, I am fortunate I guess.

Mr. Ferlo:

So, do you want us to delay that too and go back to public bidding?

Mr. Fatler:

Yes. If whatever works best for everybody, Allegheny West --

The Chair:

You are both out of order.

Mr. Cox:

I simply want to say that the neighborhood was offered the opportunity to do this through directed sale through URA. It was their decision to go to public bid. We complied with their wishes in this matter. So that's how we are at this process.

I think I am suggesting to the neighborhoods that in the future they should take the directed sale alternative if they want to control for development. Even though it does take longer and it is slightly more complicated, but please understand that this just didn't happen because the administration went ahead without consulting with the neighborhood. Thank you.

Mr. Ferlo:

I am personally upset about a lot of disinformation that's been explained and spread by some of my representatives.

Mr. Ricciardi:

Can I ask for a point of order, if there is no objection by you? Should we discuss this bill -- I recommend that we wait for the bills to come up.

Mr. Ferlo:

I want to respond to people who spoke. We have discussion at the Wednesday committee in the same format.

First of all, if you review every

action of this legislative body at least the 11 years I have been here, I think you can say that this Council has gone out of its way each and every time that I recall to show good faith and do what we need to do to be partners with the community based groups. We have done that on individual issues. We do that each year during the annual budget deliberations and the like. We try to be strong partners and everybody and myself included has tremendous respect.

I have done whatever I can do to show that both by legislative actions on my part, committing resources and the like. I am very mad because of disinformation campaign, where misleading information has been given for instance in the Polish Hill community, completely inappropriate information in Lawrenceville. I have gotten letters that say that I should vote today to block the sale of the Polish Falcons that came from the Lawrenceville Development Corporation. We have nothing up here today involving the transaction of the Polish Falcons. I can speak at length about that, but I am going to get past that right now.

I resent the fact that Council is being put in the middle here when really many of these groups since they are so -- especially the leaders who are so close with the Murphy administration any ways. Because I think what we have here is more Councilmatic district politics for election than people being sincere about the issues here. That is just my own opinion.

We have asked explicitly I don't know how many times I tried to ask it over the last three weeks involving Lockhart Street, I raised the issue this past week

involving Jay Street as well. And unless the Law Department wants to change their tune or the Murphy Administration representatives here, we have been told legally whether we like it or not that when there is a public auction bid and that is what we are presented with, the final action of this transaction. This issue to me legally has nothing to do with the example of the Brew House. It's a completely different issue, which this format doesn't provide me a lot of time to explain the unique differences.

But I resent the fact that we're being put in the middle. I don't understand why the Mayor's Office with all these community policy people that they have, and by the way I don't know really what any of those policy people do? I have been in office for a number of years, I don't think, I can't tell you one time a Mayor policy person whatever those staff people are called have ever called me to intervene or to sit down. In fact I just had to call them the other day to ask them about an operation clean sweep for Highland Park. My office wasn't notified to help assist in the organizing and I can repeat that in many instances.

I am a little bit upset that we're being proposed here as the bad guy's when we have been doing nothing but trying to be supportive of these groups. If there is any way that we can do a directed sale and to be a partner in this, I am anxious to do that. What I am saying is that we have one thing being clearly stated by the Mayor's Office and the Law Department. I resent this kind of last stitch organizing effort when it's being done based on disinformation, improper information and I think for mixed motives to be quite honest with you.

Mr. Udin:

Point of procedure. I would like to move that as a Rule of Council we will after we hear public hearing at a regular meeting on a bill that we will be debating later in the morning when that bill comes before Council, that we will defer discussion by Council members until that bill is properly introduced.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

There is no further discussion, we will now move to presentation of papers.

MR. FERLO PRESENTED:

No. 1419 Resolution Providing for the issuance of a warrant in favor of Frank J. Zottola Construction, Inc. in the amount of \$15,499.24 for delay claim costs associated with the Municipal Courts Access Road project; and providing for the payment of the costs thereof.

Which was read and referred to the Committee on Finance and Budget.

MR. HERTZBERG PRESENTED:

No. 1420 Resolution ADOPTING OFFICIAL SEWAGE FACILITIES PLAN FOR STEELERS STADIUM DEVELOPMENT in the 22nd Ward of the City of Pittsburgh. ---PRESENTED BY MR. HERTZBERG & MR. RICCIARDI)

Which was read and referred to the Committee on Public Works, Water & Environmental Services.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced, so the bills will be on the agenda this Wednesday.

MR. FERLO seconded the motion.

Which motion prevailed.

MS. MCDONALD PRESENTED:

No. 1421 Resolution Approving Execution of a Contract For Disposition of Land By and Between the Urban Redevelopment Authority of Pittsburgh and the UPMC Health System, or a related entity to be formed, for the sale of Parcel E-1b, Subdistrict II, and Parcels F-5 thru 12, F-15b and F-16, Subdistricts II and III, plus road right of way and park area, (Part of Block 29J Lot 8) in the Sixteenth Ward of the City of Pittsburgh in Redevelopment Area No. 55, Carson Street, Council District No. 3 (construction of sports medicine campus). --- (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. UDIN seconded the motion.

Which motion prevailed.

Also,

No. 1422 Resolution Authorizing a Cooperation Agreement or Agreements

with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to URA of \$670,000.00 for the Allequippa Terrace Project (Council District 6). --- (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

No. 1423 Resolution Approving Execution of a Contract For Disposition of Land By and Between the Urban Redevelopment Authority of Pittsburgh and the Pittsburgh Economic and Industrial Development Corporation, for the sale of Parcel E-1d, Subdistrict II, (Part of Block 29J Lot 8) in the Sixteenth Ward of the City of Pittsburgh in Redevelopment Area No. 55, Carson Street, Council District No. 3 (construction of biomedical incubator facility). --- (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

Which were read and referred to the Committee on Housing, Economic Development & Promotion.

MR ONORATO PRESENTED:

No. 1424 Resolution Approving a Conditional Use exception under Section 993.01(a)A(4) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to James and William Rudolph for authorization to demolish a residential structure and replace it with a parking area with a maximum of 12 parking stalls to be located at 5608 Wilkins Avenue on property zoned "R2" Two-Family Residence District, 14th Ward.

Which was read and referred to the Committee on Planning, Zoning & Land Use.

MR. UDIN PRESENTED:

No. 1425 Resolution Providing for the issuance of a \$3,003.00 warrant in favor of Demetrius Waldon, 1437 Nixon Street, Pittsburgh, PA 15233, in settlement of a claim in which claimant's vehicle was in the City Tow Pound when items were taken from his vehicle on November 29, 1998.

No. 1426 Resolution Providing for the issuance of a \$3,256.00 warrant in favor of Gregory Rossiter, 322 Kramer Way, Pittsburgh, PA 15211, in settlement of a claim in which claimant's sidewalk and front porch were damaged when a City Public Works truck backed onto his property July 24, 1998.

No. 1427 Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of Seventeen Thousand Two Hundred Fifty Dollars and Ninety-two cents (\$17,250.92) to the Commonwealth of Pennsylvania representing the final payment required for unclaimed funds for the year 1990 pursuant to the provisions of Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971 P.L. 74.

No. 1428 Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of Six Thousand Eight Hundred Seventy Dollars and Seventy cents (\$6,870.70) to the Commonwealth of Pennsylvania representing the initial payment required for unclaimed funds for the year 1991 pursuant to the provisions of Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74.

No. 1429 Resolution AMENDING RESOLUTION No. 47, Item D, effective February 18, 1999 which authorized the sale of a vacant lot, 100.22' x 87.81', located at 2604 Arlington Avenue, 16th Ward, Block 13 M, Lot 170, to Betty Wasick to correct the purchase price from \$1,000.00 to correctly read \$750.00.

No. 1430 Resolution PROVIDING for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984. — COUNCIL DISTRICT #1

No. 1431 Resolution PROVIDING for the filing of a petition or petitions for the sale of certain property or properties, known as Lien Excluded Properties acquired at tax sales, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984. — COUNCIL DISTRICT #1

No. 1432 Resolution PROVIDING for the filing of a petition or petitions for the sale of certain property or properties, known as Lien Excluded Properties acquired at tax sales, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984. — COUNCIL DISTRICT #1

Which were read and referred to the Committee on Finance and Budget.

The Chair:

Is there any unfinished business to come in front of Council? Hearing none, move to Committee Chair Reports.

CHAIR REPORTS

Mr. Udin:

Thank you, Mr. President. An outline of my report is being distributed to Council presently. I would begin with the reminder to Council of a memo that was received about a month ago by Council informing Council that the city had been notified that we would be receiving \$763 thousand in Community Development Block Grant funds in excess of what was anticipated during the budget time. And the Mayor had also included a proposal for how that \$763,000 might be dispensed.

We asked at the time that Council members review the Mayor's proposal and also develop some proposals of our own in response. I have not received, with the exception of Councilman Ferlo, I am not aware of any proposal by Council members for how the \$763,000 should be expended, whether or not we accept the Mayor's proposal or if we have an alternative proposal?

Mr. Ferlo has introduced legislation which we will be reviewing I think either tomorrow or next Wednesday that deals with the 10% that is usually allocated between Council and the Mayor's Office as ULO's. That would take off \$76,000 of it but the balance of the amount, \$690,000 is still undetermined and we will need to reach some consensus on the part of Council members as to the use of those additional funds. So it will be helpful, perhaps I can have a meeting with the President and we can figure out a way to review the Mayor's proposal and get some consensus from Council.

Secondly, by the way a copy of the

memorandum that we sent out relative to the CDBG funds is attached in this report. It is dated today because that's the way the computer kicks out new memos, but it was sent out a month ago.

Second issue has to do with the McNulty Financial Report. The McNulty Financial Report. On the 19th of March the Post Gazette printed a story about a \$3 million revenue windfall that was coming into the city. It was an unofficial report that was provided to the media by whom I don't know. In any event it was misleading because it was not a part of a full report of the 1998 financial activity. It was only an interim revenue report. We don't know what expenses will have to be charged against that three million dollars and it is not one that has been reviewed by the auditor and is part of the CAFR.

The CAFR which is produced in May is the report that reflects the official financial condition of the city for 1998 and anything produced preliminary beforehand is inappropriate I think to be published as an official financial report of the city. And we just have a, it just reminds me, Mr. President, of the continuing problem that we have of feeding information to the media that is a unauthorized and premature and it continues to serve as a problem.

None the less, I would also remind colleagues that we need to find a way to develop some proposals within Council and between the Council and the administration on the use of the fund balance. We had some discussion about this fund balance during the budget period. I think we had reached some agreement about how the fund balance might not be used in the 1999 budget but we never resolved with any finality what should

happen with the fund balance in 1999 or the year 2000 and beyond.

I know that there have been proposals for example to say that the fund balance should be used to generate other recurring revenues. If that will be the standard that we use, we need to start developing some proposals about how we think the fund balance should be used to generate those recurring revenues. But it seems to me that it is not a wise use of the fund balance to just let it sit there with no one really coming up with any finite proposals about how it should be used. It's an opportunity that is being wasted.

The monthly general ledger summaries to the budget Controller's Office according to the Budget Controller are still not being satisfactorily received. It is not yet clear to me what the problem is because the Finance Department is satisfied that the reports that it receives are sufficient for its uses. But our Budget Director is not satisfied that the reports that he is receiving are sufficient for his uses so we continue to work with the Controllers Office to try to format the reports to Council so that they are useful and that they inform us. If they are too detailed and too bulky no member is going to read 300 page general ledger reports. So they have to be formatted in a way that is useful and we're still working on that.

There is an outstanding problem that continues with the trust fund balances. As you all know we have a number of trust funds. A large number of trust funds. Some of the trust funds are included in the budget; some of the trust funds are not included in the budget. We have a situation in the last few weeks where there

have been some transfers from trust funds for unbudgeted items. That's a problem. If we're going to be using the trust fund during the course of the year, then we need to anticipate that use during the budget and it needs to be a part of the budget. We can't present a budget and then come back later on and introduce expenditures out of a trust fund that was not budgeted.

Another part of that problem is that we are still having a difficult time getting a final inventory of the balance of all trust funds. Part of the problem is because we have so many trust funds. Part of the problem is also because we are still working on the Peoplesoft problem to enable our capacity to produce in an instance because we should be able to get that in an instant to produce reports that reflect all of the trust funds that exist and all of the balances that are in all of the trust funds. We still don't have the ability to get that and we ought to continue and we will continue to press the staff in charge of the Peoplesoft system to produce that kind of information to Council.

Which brings us to the Peoplesoft problem, my favorite topic. As you recall the Mayor's Office and Council and the Controller's Office agreed on a Peoplesoft Trust Fund that would be a fund that would be set aside to pay for staff who would be professionally trained in Peoplesoft. They would be assigned to only work on Peoplesoft; in other words they would not be working on other elements or aspects within the Controllers Office. But because we want to get this Peoplesoft on line and operating correctly, we wanted to provide the funds that were necessary to do it but get the assurances from the Controller's Office that these people are going to be professionally hired

with professional qualifications and that they would be exclusively working on Peoplesoft.

So we have made a significant amount of progress in that regard. We have been meeting with the Controller's Office; we have developed the job description. We have developed the staff structure for how the Peoplesoft operation will be staffed. The manager of the Peoplesoft system will be a professionally trained and knowledgeable Peoplesoft manager both in terms of the accounting procedures as well as the Peoplesoft software technology. So we are making some progress with that. It is slow but it is moving forward and we have good cooperation between the administration, our office and the Controllers Office.

The tax restructuring committee is continuing to meet and has planned an institute on politics that will attract legislators from the region as well as from the city, as well as business and academic experts to continue to develop an analysis of the city's tax structure and proposals for tax reform that benefits the City of Pittsburgh. And that is compatible with the region so that we can get the political support that we need to be able to get the proposals passed.

I would also just mention the President's breakfast and very helpful activity that I am sure the President will report on himself, relative to working with the School Board and trips to Harrisburg to make sure that Council's perspective on the city priorities and agenda is being seen after. I thank the President for his leadership in that matter.

Relative to the discussion that we

have been having last week and today regarding the treasurer sales of delinquent tax properties and the land reserve and transferring properties rather by direct sale to the URA or by bid. I have been having an ongoing conversation as many members of Council, certainly Councilman Onorato has been contributing greatly to this as well, to examine what the city's policies are and where the pitfalls and loopholes are or policy gaps. I should say, because we send different messages at different times and I think we need to close the gaps in policy so that everyone is clear. The buyers, the individual buyers, the real estate market, the community development groups that we have been encouraging and funding to develop these properties we need to identify the gaps, to close them and have a policy that everyone is clear on. I don't think that exists right now.

Finally, I would just mention a request from the Finance Department to warn Council, I guess we can call it a warning, to advise Council that the street resurfacing amendment as passed took funds from the Equipment Leasing Authority. And, Council should be aware, according to the Finance Department, that that transfer of funds out of the equipment leasing will in fact prevent the city from the purchase of needed garbage trucks and street sweepers and some of the city cleanliness intentions that may have maybe effected by that interpretation by the administration that they will not be able to purchase garbage trucks and street sweepers as a result of that transfer. Just information that Council members should be aware of. Thank you, Mr. President.

The Chair:

Thank you.

Mr. Ricciardi:

I would like to tell all colleagues especially the Finance Chair, I thought that was an excellent report. Very detailed and I thank Mr. Udin for it.

I am very pleased that he also mentioned regarding the purchase of equipment in the future by the Equipment Leasing Authority, ELA, and I want to thank all my colleagues. It was part of the record, but once again I am going to make it a part of the record. When the transfer, when we decided to go off the original, we will call it Plan A and go to Plan B and decided to take the funding from other areas, I had made sure it was part of the record. I noticed Mr. Udin did not mention that, so I thank him for his work with the Finance Department.

But the fire truck, the pilot program that is going to happen in the Southside Slopes at a cost of \$200 thousand, if all my colleagues remember, I made sure that was not part, that would remain intact in the legislation that we approved from the ELA. It appears that it has remained because Mr. Udin through his conversation with the Finance Department mentioned refuse trucks and street sweepers. I think they are all needed but I am very pleased that he did not mention that pumper. Because as you know we have had some tragic fires in the Southside Slopes because of the narrow conditions of the roads and because of the grade of the some of the hillsides. We're going out for different specifications and Mr. Costa has been doing a very fine job and we are going to have a smaller pumper.

So once again, Mr. President, at your indulgence I want to make sure that is part of the record that this transfer might have affected other equipment but did not effect the pumper. It appears that that is true to date correct, Mr. Udin, they did not mention the pumper in your conversation with the Finance Department?

Mr. Udin:

Not to this date.

Mr. Ricciardi:

Also, I want to thank Mr. Diven because it has also come to my attention there might be another plan that Mr. Diven has been working very diligently on. Maybe the pumper can be paid for by another trust fund thus allowing other monies to be used for sweepers. I don't want to in any way take away from Mr. Diven's thunder, but I am aware that he's working on some ideas and that's okay with me too, Mr. Diven, as long as the pumper remains intact. Thank you.

Mr. Onorato:

Thank you, Mr. President. Again, I also want to thank Councilman Udin for a good report. A lot of interesting items. I just want to comment on one and that is the street resurfacing issue at the end that he talked about. And I want to set the record straight not for Mr. Udin's point of view but for the administration's point of view. We heard that the Finance Department is sending signals over, which I would describe as possible threats of losing garbage trucks and sweepers. But I want to make this very clear. Three and a half, four and a half weeks ago, whenever it was, when we were all complaining how

bad the streets were, I threw an amendment forward to get the discussion started. I talked with colleagues; I made many changes to the amendment based on your comments. I talked with the community groups and I gave several of them individually my word that the amendment would not touch CDBG dollars which it does not. I even met with the administration, Deputy Mayor Cox and I and a few others sat down and tried to work out some kind of a compromise. I was even at the end of a scathing editorial by the Post Gazette saying that I was irresponsible. Where I was taking the money from even though, their recommendation at the end of the editorial was why don't I sit down with the administration and colleagues, which had already happened.

If I received a call I could have told them that, but I was not privy to giving my comments to the editorial. Albeit, and I am a big boy and I can take the criticism but I have a letter in my hand dated March 8th, today is March 23. This is on the Mayor's letterhead and it is signed by the Executive Secretary Tom Cox.

Dear Councilman Onorato, pursuant to our meeting in response to Council Resolution 1357, the Mayor would like to propose the following amendment by substitution. I want to point out that as a courtesy I made that amendment by substitution. The substitution was very clear. Take a \$1,750,000 out of capital equipment acquisition, take \$250,000 out of Engineering and Construction both of them are bond money and take the additional two million dollars from the increase to the fund balance from the 1998 financial statements which would be

confirmed by the CAFR. As a courtesy in working with those meetings, I made that friendly amendment and colleagues you supported it. We passed that amendment for street paving.

To somehow come back now and say I am just warning all of you if this stays the way it is you're not getting a garbage truck and you are not getting a street sweeper is absurd. The way I look at it is, it is not this amendment that's going to stop a garbage truck or street sweeper being paid, because we are only touching \$8.9 million of the bond money. There is a total of \$30 million in bond money. The way I look at it is Nine-Mile Run is stopping the garbage trucks, the Hot and Metal Bridge is stopping the garbage trucks. These downtown developments are stopping the garbage trucks. I will pick out 20 million dollars of bond money line item by line item if they want me to. Why is asphalt the only line item that has to supply garbage trucks and street sweepers?

We are under funded, we were extremely under funded, even with the amendment that passed we are still about four million short what we should be spending on street paving. I will not retreat from this amendment that passed. I will not be part of any attack on the street resurfacing account, it is already still too low and what is in there stays in there.

If garbage trucks and sweepers cannot be purchased because of this reduction, I say let's take it from bond money out of other accounts or let's talk about the fund balance. But do not touch street resurfacing. I will do everything I can to fight any attack on street resurfacing, and I will put my colleagues on notice during the budget season, I plan

on coming back with an amendment if street resurfacing does not hit twelve million dollars in bond money for the year 2000.

The City residents have been crying to have their streets repaved. The people that have been paying the tax in this town have waited long enough. I liked downtown development, I like growing the city, I supported all those plans. But no longer at the expense of the average citizen who works hard every day and just wants to get home without throwing their back out going back and forth to work. Maybe that's that strategy that's really at work here. If we make the roads so bad we can stop the people leaving the city cause they're still leaving. They're sick of paying higher taxes, they're sick of not getting service for what they pay and it is about time we refocus on what city government is all about. That's the maintenance of our streets, being able to pickup garbage and public safety.

I refuse to attack anyone of those line items any more to balance a structurally unfunded budget. There is 20 million dollars still on the table that's allocated to other accounts. Maybe we better wake up sooner or later and say that some of these downtown development projects better go it on their own. We can't put in that kind of public financing any more not at the expense of our streets, not at the expense of Public Works. I won't be part of it. I am proud that you guys all supported, or the majority supported the street resurfacing and I hope that we can go to our residents and do the streets the right way and put the proper amount of funding in place.

The Chair:

Thank you. As far as the -- I will meet with the equipment leasing. I believe they were supposed to meet and come up with some alternatives. There are other alternatives besides cutting out street sweepers or garbage cans, garbage trucks. I gave them an option yesterday to look at as far as leasing the equipment, prolonging it. So I believe there is middle ground that we don't have to sacrifice needed equipment. It's certainly something to look at.

Mr. Udin, one question on the Peoplesoft. You mentioned people are in place. Is there money for those people in the budget?

Mr. Udin:

There are funds that are in place. There is some discussion however that the Controller might need some additional funds. We're reviewing those proposals, but in our budget we included money for the initial staff structure of the Peoplesoft trust fund. So the people are not in place but the job descriptions and the structure and the positions are in place. The people will be hired soon.

The Chair:

I would challenge the management there to get the people in place, if we have done our part putting the money there.

Mr. Onorato:

On that point, Mr. President, if we could also have another breakdown of the last four years the capital money that was spent on computerization of the city. Everything from the upgrading to the so-called Y2K problem because we have a

Y99 problem let alone Y2K problem. I don't think we should be just throwing any more money into that account until some one can show us that the computers can at least be turned on and operated properly.

The Chair:

I certainly agree. Everyone on Council will certainly agree with that.

One last question for Mr. Udin. We have talked about these trust funds. Is there any way to get a handle on it so that next budget, by next budget we can address those whether they need to be in place? I believe, I know Mr. Ferlo fought those from the day I came here that a lot of them were hidden agendas so that no one sees it and then all of a sudden the money is there for whatever special interest reasons they are needed.

Mr. Udin:

I am confident that we will have a handle on it by the time the budget discussion rolls around. Scott Kunka has been like a pit bull on this. And I am confident that we will have the information. It is not being -- there is nobody resisting giving us the information, it's the technical capacity to produce the information that is the problem.

The Chair:

Very important that we get a handle on it. Thank you for that leadership. Thank you for the report.

I will jump in very briefly. Catching up with our initiative meeting with the School Board, City Council and the legislators. We took a small group to

Harrisburg to lobby for funding. Chuck Kolling actually arranged the meetings. I thought it was very successful. Mr. Diven accompanied me as well as the two Deputy Mayors. Dale Frederick the Superintendent of the Pittsburgh Public Schools and Ron Suber the President of the School Board.

Our three initiatives were one to find magistrates money and request it again. You know we had been cut out of our budget not only for this year but for next year. We lobbied for that. I can't say we were successful yet, but certainly met with the leadership of both parties, republican and democrats. They certainly heard us; they were very courteous to our needs. We looked at that and other possible potential ways Harrisburg could help the city.

We also met with almost everyone in our Allegheny County Legislators and State Senators. They were very helpful. Probably the key issue though I think especially as our neighborhood groups are here, education is probably the most important anyone buys a home in this city. We were there representing all Council members to support our public schools. The two main initiatives were Conley Technical Institute had been shorted again three million dollars. Everyone, Republican and Democrat alike, was very positive to putting that money back into the budget.

You know the Governor all though he has done a lot of good things somehow the education part I believe is terribly lacking and probably the most important thing to our budgets and I hope everyone pays attention. The School Board, don't forget, has a higher budget; everyone pays

more tax to the School Board than they do the city. They have been cut. The special education at one time was 63% funded by the state. Now it is down to 30%. And the special education cost has risen to seventy million dollars. So we're looking at changing, we're requesting to change that so that we can at least shoot for half which would mean about \$15 million for our schools and our children to maintain the very challenging special ed. programs that we have.

We can be very proud of our special education programs. We are helping so many youngsters but it is also not just a city urban issue any more, I believe all of the legislators are starting to see it in their neighborhoods, their districts, no matter where you are, suburbs, rural or urban. So it is something that I think was very highly accepted on both again by the Democrats and the Republicans. So it was a very worthwhile trip. I will let Mr. Diven comment.

Before I do though, I think it's very important. I know Mr. Onorato is trying to make it. I would like to try to set up and the smaller the group probably the better interaction of two or three of us at a time going up whether we go each quarter and different people with different agendas. I think going with the School Board was very important to show I think education is probably the most important thing to keep people in our city. I can speak for hours on it, I am sure all of you could.

But we want to, even if we disagree with some of the things they may say or do, we certainly support the highest quality of education for our children. I think this is a good way to do it both together and bringing our meeting before

hand with our delegation because again I didn't see any hesitation to support these initiatives and I was very positive especially on the school end.

Mr. Diven:

Just I will keep it brief I know because of the hour. But I would like to thank you for taking the leadership in this issue. I thought in Harrisburg we received a very positive response from a lot of the House and Senate leadership that we met with. I think it was good for Council to go up there and present a unified front with the School Board. Because after last years stealth legislation it's important to get across to the legislators who might for political or personal reasons, have differences with the administration not to let that be something that would hold us accountable for such a large hole in our budget with the magistrates court.

I think it was a great first step. Obviously we are going to probably need to take more trips up to Harrisburg and increase more lines of communication. But I think the response was fantastic and I think that it gave us the opportunity to present our needs. I think when its comes time for the state to sit down and start to iron out their budget, they're going to know what is important from the City of Pittsburgh's perspective to fight for in that budget. It couldn't happen without your leadership and all of Council's support and the breakfast meetings that we have been holding leading up to this trip to Harrisburg.

The Chair:

Thank you. Any questions?
Otherwise move to reports of committee.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1433:

Report of the Committee on Finance and Budget for March 17, 1999, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1360:

Resolution extending the term of existence of the Public Auditorium Authority of Pittsburgh and Allegheny County, term to expire 50 years from the date of approval.

Which was read.

Also,

Bill No. 1361:

Resolution authorization for the Controller to release 1996 Pre-Encumbrances outstanding in the Mayor's Office that are longer needed. Releasing these old pre-encumbrances will resolve outstanding pre-encumbrances that are currently in the Peoplesoft System for the Mayor's Office.

Which was read.

Also,

Bill No. 1373:

Resolution providing for the issuance of a warrant in favor of Tony Pampena Corporation in the amount of \$106,760.66 in payment of an Emergency Contract for the Rehabilitation of the Flowers Avenue Retaining Wall; and providing for the payment of the cost thereof. (PRESENTED BY MR. FERLO).

Which was read.

Also,

Bill No. 1378:

Resolution authorizing the Citizen Police Review Board to enter into a Contract or Contracts for the hiring of counsel and consultants to assist in the representation of the Citizen Police review Board at a cost not to exceed \$45,000.00

Which was read.

Also,

Bill No. 1379:

Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(a) 507 Lincoln Avenue, 12th Ward, Block 125B, Lot 84, being purchased by Nile Publicity Group, Inc. Two story frame house situated on a lot containing an area of 2,380 sq. ft., \$2,500.00. Intended Use: Rental Unit. (Council District 9).

(b) 34 Brahm Street, 24th Ward, Block 47N, Lot 103, being purchased by

Thomas J. & Debra Krawczak. Vacant lot containing an area of 2,720 sq. ft., \$100.00. Intended Use: Additional yard space. (Council District 1).

(c) 425 Jay Street, 25th Ward, Block 23D, Lot 25, being purchased by Jack R. & Merilyn Sell. Vacant lot containing an area of 7,687 sq. ft., \$10,388.57. Intended Use: Additional yard space. (Council District 1).

(d) 143 Lecky Avenue, 27th Ward, Block 75M, Lot 337, being purchased by Stephen K. Grivnow. 2.5 sty. fra. Hse. Situated on a lot containing an area of 2,787 sq. ft., \$1,500.00. Intended Use: Personal Residence. (Council District 1).

Which was read.

Also,

Bill No. 1380:

Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(a) 512 Lockhart Street, 23rd, Ward, Block 8D, Lot 164, being purchased by Stephen Mesich. Two story brick house situated on a lot containing, 2,229 sq. ft. Intended Use: Personal Residence. (Council District 1).

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Ricciardi:

Yes, thank you, Mr. President and colleagues. Mr. President, Bill Number 1360 deals with extending the life of the Public Auditorium Authority and Allegheny County. Obviously it is another component of Plan B and I have stated my concerns and opposition in the past to Plan B. That is not my concern today however, colleagues.

My concern is one of residency requirements. One that many of us have been very vocal on in the past. If I could just tell you a thirty second story, presently we have an employee with the Pittsburgh Water and Sewer Authority that is adamantly opposing and fighting the residency requirement of the Pittsburgh Water and Sewer Authority. I have directed our Solicitor to be very adamant in her approach to defend the residency requirement. Matter of fact, we're in court of over that matter.

It's come to my attention and I have no reason to disbelieve the information that has been given to me sometime this morning, I have shared that with our colleague, Mr. Dan Cohen, who sits on the Public Auditorium Authority and who I believe will research the matter. But to date I cannot vote for this for two reasons. I believe the residency requirement at the Public Auditorium Authority and Allegheny County is not being adhered to. Matter of fact, if you just look at the legislation, colleagues, it says Public Auditorium Authority of Pittsburgh and Allegheny County, it does not say Washington County.

It's come to my attention and I believe the information that has been

brought forward that there are two high ranking officials, not just two people who come in on the weekends and maybe do some work, but two high ranking officials, the Project Executive and the Chief Financial Officer. There is reason to believe that these two individuals live in Washington County. I believe if that's true that there need -- that that issue needs to be addressed. I believe number one, that we to have a residency requirement of the Public Auditorium Authority of the City of Pittsburgh and Allegheny County. And I would like to --

The Chair:

Can I interrupt? Are you talking boards members or employees?

Mr. Ricciardi:

Employees, sir. I would like to compliment Mr. Ferlo on this, I think Mr. Ferlo has been very active in the past if one looks over the minutes both of the Housing and Parking Authority he's always spoken to this. So here is my concern, colleagues, if we do have a residency requirement, number one it is not being adhered to. If we do not have an Allegheny County/City of Pittsburgh residency requirement at the Auditorium Authority, one should be immediately drafted.

Now obviously if the bill before us is to extend the life of the Authority, I am not sure if it is prudent to move on this bill at this moment. Because I think a residency requirement needs to be drafted. But I believe we have one. These are two high-ranking officials. If my information is incorrect, I will be the first to apologize; however, if my information is correct I

believe that the Commissioners, Mr. Cranmer, Mr. Dawida, and Mayor Tom Murphy, have not been watching the store. Thank you.

Mr. Udin:

On a different subject.

Mr. Cohen:

Thank you, Mr. President. The bill before us is a bill to extend the life of the Auditorium Authority. And the reason for that is because the bonds that are being issued for Plan B have a certain life and we want to make sure that the Auditorium Authority, which is a creature of state law has a life that is not shorter than those bonds for obvious reasons. Otherwise it would put us into financial trouble.

I would ask Council certainly to vote for this bill which has nothing to do with residency requirements. But that having been said, Councilman Ricciardi brought this up to my attention about 20 minutes ago. I will certainly be looking into it. I was not aware of the information that he provided to me. We just put into place recently an NBE/WBE requirement. I do not know if there is a residency requirement at the Auditorium Authority, I will check into it. I certainly have supported residency requirements here for the City of Pittsburgh. And I would like to report back to Council once I have looked into this issue.

Mr. Hertzberg:

All right I am going to vote for this also. I think it is a separate issue but it is a good issue that needs to be taken up not just with this authority but with all county

government. My understanding is that there is no residency requirement for anyone in county government other than perhaps the elected officials that must reside in the county. I don't think there is a requirement for any county employees or any county authorities at all. Any residency requirement whatsoever. I think that's a separate issue from our vote on extending the life of this authority.

Mr. Ricciardi:

I am comfortable with Mr. Cohen looking into it.

The Chair:

Can we amend it that at least we say that in there?

Mr. Cohen:

Mr. President, what I would like to ask is give me an opportunity if you would to check into it to see whether there is a current residency requirement at the Auditorium Authority? I don't believe there is, but if not, we should certainly move ahead with one and report back to Council.

I would be against adding an amendment to a completely separate bill.

The Chair:

We would need the Commissioners' approval too I guess.

Mr. Ferlo:

I think you should ask Dr. Wecht to take this issue up.

I think it should be a political issue. I think people that are running -- I wasn't saying that in a flip way. I think that the people who are running for County Executive should address this issue of residency. There are pros and cons on each side when you look at the residency issue as a countywide requirement. I think it's correct that you do not have to be a resident within the county to work for the county and its authorities. I think it's an issue that Dr. Wecht and other people running should address.

The Chair:

Just for my information, Mr. Ricciardi, can we along with the Commissioners put that in later a residency requirement?

Mr. Cohen:

I think the Auditorium Authority itself can put that into place. Of course, we would want to have the Commissioners' approval and the Mayor's approval but the Auditorium Authority is a legal entity that could put that into place.

Mr. Udin:

Relative to the tax delinquent property sales issue. I would like to urge us all to stop this collision course that the discussion has been taking in recent weeks and step back and try earnestly to find a way for all of us to win. I am not sure that we have explored all of the possibilities that can allow all of us to win, the city taxpayers, the community development groups as well as the rights any individual may have to purchase tax delinquent property.

If we continue to try to win one-sided, have a one sided victory, we all lose I think. There are some unanswered questions, some are legal, some are policy. There is nothing in this legislation the bills that are in some controversy that is time limited. We have the time to slow down and look at what it is that we are doing. We don't, I don't think that the essence of what is going on here is that anyone either the individual buyer or the community development groups or the city, is deliberately trying to mislead anyone.

People have been given information, which they have been acting on as they best understand the information. Sometimes that kind of communication can be contradictory. We need to slow down. We need to try to -- we need to back up. We need to try to find a way to resolve these issues and put everyone on the winning page.

Mr. Onorato:

That's fine and good. I will continue to do it. I have been doing that for seven and a half years. I am going to make a few statements now. On Bill 1380, which seems to be the controversial bill, this bill has been held now for about a year. And I have been dealing with this issue and it has been very, very difficult for me because there has been a lot of I say mistakes made early on. And it frustrates me because I think a lot of the parties are innocent and that are a lot of parties are also getting hurt here because of accusations and the comments that have been made that get worse every day that go by and every week that goes by.

It is really difficult for me because I spent almost my entire career on Council

going after problem properties, coming to a head with the famous Mrs. Ola Gatos case. And I am willing to do whatever it takes here. I bet if you check the record that I have the most motions to delete properties on any given Wednesday from any colleague. I don't have the numbers here but I guarantee it I do. Because I know how many I delete as they come by. I am the one who consistently questions any time you see why is it being purchased and the definition is for investment purposes that we find out who the purchaser is and we immediately find out if they have any problems with existing properties. I am the one that sponsored and we all passed legislation that required the city to take any bid money on an individual that purchases that currently owes us money on any other property within the City of Pittsburgh.

I am also the one that had to call the police after I went after Ms. Gatos and found her on my property who knows what she was doing on Super Bowl Sunday. I have worked for years with community groups to do housing. Foscamp (phonetic), Phineas Street, East Allegheny, Wickline, Fineview, I can go on, and go on, and go on the North Side and throughout. I work closely with the community groups every year during the capital budget and I am glad I do that because they do a great job.

But the issue in front of me today and what I am struggling with is that somewhere along the line the city put this out for bid for whatever reason. We're hearing that the community was going through the URA and decided not to do that for certain reasons and that then it was going out to public bid. We found out last week that there is a different notice

requirement depending on if you are selling to the URA versus if you are selling to the public. That has to be addressed eventually. But the problem that I am struggling with right now is that the city did put it out for bid and somebody came in as the high bidder. At that time and according to all the records and inspections that I have asked the city to make, he was not delinquent at the time of the bid.

Currently you heard that he's delinquent and that is absolutely true. He owes about two to three thousand dollars from 1998 and 1999 on property up in the Polish Hill area. But in the mean time to make the picture whole because I have to be fair here, and believe me I have -- I am not here doing the bidding for the guy that won the bid because he has been out badmouthing me around town for a year. I have no reason to defend the individual. But he bought a property that had about 30,000 in back taxes due to capital assets because we sold them in the last seven months, made two payments, one of 15,000 and one of \$5,000 capital assets to bring down those back taxes. But he did let his 1998 and 1999 taxes become delinquent and that is a concern of mine. Even though that does not fall into the definition of the resolution that we say we will not sell to anyone that has delinquent taxes at the time of the bid, I think the issue has to be addressed today in some format.

I have an amendment that I do want to discuss but I think this amendment should probably apply to all bills now that we sell to. We should not just apply it to this individual. I want to add on Bill 1380 I am going to present an amendment which is in front of you, but if you notice it is

stapled and there are three amendments. They are all the same wording for Bill 1379, 1380 and 1381. It is to add Section 2 that I think what we should do here is even if we purchaser gets down to the closing date or our approval date or even after our approval date that we put in some type of clause that would read and I am open for friendly amendments here, that a purchaser has 30 days to become current or enter into an appropriate payment plan for delinquent taxes for all property owned by the purchaser in the City of Pittsburgh. Failure to meet this requirement makes his conveyance void.

But the reason, what we have to try to work out here is, if I am not mistaken, I thought that we switched the payment plans only to owner occupied individuals. So depending on who is buying the property, the option would be to pay and to become current within 30 days if you are an investor. But 30 days or a possible appropriate payment plan if you are owner occupied if you are buying the property or the property that you are in I mean that is delinquent. These are the issues that have to be addressed here.

Unfortunately a lot of tempers flared and a lot of things are happening on this case. I will talk to the Law Department over and over again and I being told that on one hand you can't reject this one just for the sake of rejecting it. I would have no problem stopping a sale of any individual that is ignoring the process or ignoring the city codes and putting blight on here. This individual is fairly new to the city. He has bought his property less than a year ago. And I don't know he might turn out to be the worst slum landlord or turn out to be the best investment. I don't know.

But if we are going to reconsider and rethink of how we sell properties and change the procedure, we have to do it for everybody or do it for no body. We definitely have to change the procedure where if community development corporations have good plans in which they do, they should not have to use the process where it comes to Council and we have to reject it if they get out bid. That is a terrible precedent to set of a way to set public policy. This should be addressed on the front end. It should never go out to public bid so we're not faced with these lawsuits.

There is no doubt in my mind if it gets rejected, there will be a lawsuit and it will be tied up again. But the bottom line there is it is not the right way to do public business. I don't know how we get out of this one from here. If we don't approve it today I don't see how you reject it without avoiding the lawsuit rightfully so the way I read it. Or you recommit every single bill doing with conveyances today and address these issues all at once.

At that point I am going to put the amendment forward for all three bills, 1379, 1380, and 1381 as read previously. I make a motion to amend to add Section 2 to the wording in front of you in writing.

MR. FERLO seconded the motion.

The Chair:

Any discussion on the amendment?

Mr. Ferlo:

The amendment and the two bills.

The Chair:

Any discussion on the bill? You want to vote on the amendment?

Which motion prevailed.

Mr. Ricciardi:

I will be brief. I don't think anyone, no one in the City of Pittsburgh could question or challenge Mr. Onorato's commitment and hard work on behalf of neighborhoods especially quality of life issues and really overlooking the sale of properties in the City of Pittsburgh.

With that said, let me just say I think I understand the frustration and anger and probably the hurt of many community activists, volunteers and community groups in the North Side because I went through a similar circumstance in the Southside of Pittsburgh. I am going to be very careful on what I say because we were very successful regarding going through the court system and that also included up to the Supreme Court of Pennsylvania. And I want to make sure the case is not reopened. But basically the Masloff administration put out a bid, it was the highest bidder, I wasn't pleased with the individual and the family that came forward and I had the City of Pittsburgh reject it.

With that said, let me just say that I understand the letter of the law. The letter of the law basically states and I don't have it in front of me but that all taxes need to be paid up, all taxes need to be -- there are no back taxes can be owed at the time of the bid. That's the letter of the law. But we understand the spirit of the law. The

spirit of the law basically we were saying that when we sell property that that individual or that corporation or that business needs to be up on all their taxes and that's not the case in this incident.

It's been stated by colleagues, it has been stated by the administration and I even believe it has been stated by the lawyer, the Counselor for the man that liked the property. So yes maybe he adheres to the letter of the law but we know what the spirit of the law was. So I was hoping that we would be perfectly frank with because I don't know the history of this. I don't know all the work that Mr. Onorato has put in for two years. Last night I did a lot of reading on this including what was put forward by Counselor Manyon who I believe represents the individual in question. But I would hope that we would recommit and we could spend some more time on it. Without that recommittal though, I am going to go with the spirit of the law, and I won't be able to approve this today.

Mr. Ferlo:

First of all the Brew House to me has nothing to do with the actual factual issues that we are dealing with today. The Brew House we had an over zealous Finance Director, Mr. Hailer, who let out a request for proposal, with no Council authorization. When he came to us by way of a resolution, to give it to one particular development group we decided we did not like that that it was in the best interest of the community to direct that property back to the Urban Redevelopment Authority for a development plan. We thought that that was the highest and best use and most supportive of the neighborhood's agenda. That's the way I remember those factual

matters.

Now I am extremely upset setting aside my abrupt statements made earlier and I apologize for being subjective in some way. I am upset at what the administration has put us in today. I am very upset about either the factual matters because I have asked the same series of questions over three meetings and if at different times I have gotten different responses from lawyers regarding questions I have requested. Now, I don't know the owners involved. I had a conversation with this message guy I think a couple of years ago when he first came to town after he bought the Polish Falcons building. I wished him well. He was apparently when he had bought the building there was some element of cooperation with the Polish Hill Civic Group. I conveyed to the treasurer at the time to please work with this gentleman so we could get these back taxes paid, he talked about renovating the building.

Since that time as far as I am concerned the building has deteriorated. I have reported him to building inspection. I was only aware these past two weeks that he actually acquired or had another relationship by way of a resolution with Polish Hill on another property on Downing Street and the like. Now, I am upset because the administration needs to dog these properties and we both have an obligation, this Council has an obligation, the administration, the Mayor himself on down has an obligation to work with community development groups. I feel not only myself individually but collectively we as a legislative body have tried to do that each and every time we sit around that table as well as the annual budget deliberations.

I am upset because either factually the administration let things go by or the community group had a change of heart after they were given one information about a request to have these properties go to the directed sale. Now having said that, if the community group in Fineview has a development plan that assembles a number of lots including this disputed lot that is up for final action today on Jay Street, and if there is a way for us to give reconsideration regardless of whatever the legal ramifications are, and make that lot be part of this development agenda, if that has a higher and better purpose to meet the concerns of the community then I want to find a way to do that.

I resent the fact that I have been put in this position for the last three weeks where and I think Councilman Onorato is upset rightfully so because we are getting conflicting information. The same goes with the Lockhart Street situation. Now for a year and a half we had another guy come in here to the Council Chambers trying to get a resolution that he was trying to purchase a house. I believe since that time I think he and his family actually are intending to move into the house on Lockhart Street and fix it up at least that is what is being conveyed to us at the Wednesday's session. But the same holds true, if the East Allegheny group has a higher and better plan that involves a multiple number of properties with houses, including this disputed bill that is up today, I would prefer to make sure that by whatever means necessary within the constraints of the law that we find a way to direct that as part of the -- because we are going to get more bang for the buck.

So I am in favor of that. What I am

upset about though is because of the way this is being done. You know the Law Department is I think disjointed from the rest of the Murphy body and that is what I think is happening today. That is why I feel very upset not only personally and subjectively and I apologize for the audience and my colleagues for being personal objective. I should rise above that but I am upset because we are put into this situation when we are all supposed to be working along a common goal.

So as far as I am concerned, I am throwing the ball back to the Murphy court. I am not voting for these bills today. If there is a way that there can be a directed sale notwithstanding the law, then I am voting in favor of doing that. So if these come up for a bill today, a vote, I am voting no. As far as I am concerned send it back to the Murphy administration to figure out.

MR. UDIN moved to recommit.

The Chair:

I basically want to agree with Mr. Ferlo. There is a motion to recommit.

MR. UDIN moved to recommit Bill 1379, Bill 1380, and Bill 1381.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. Ferlo:

As a courtesy could we have the Honorable Solicitor here tomorrow, Solicitor Morrow and the Honorable Solicitor from the Urban Redevelopment Authority and they should not come to the

table unless they are going to give clear concise unequivocal direct answers to our questions.

The Chair:

I think you're right. I will reference to Councilman Onorato who has worked very hard on this. We have been getting different answers.

Mr. Ferlo:

He's being put into a bad situation. I am upset about that too. It is not fair to our colleague, Councilman Onorato either.

The Chair:

That was my basic point. I think it is very important that we get the right answers tomorrow. We don't have different groups calling us with different hearsay. We need the facts if this gentleman has paid, if there is a better property available, if there can be better use, can we substitute this property for another property for this gentleman?

Also, I was under the impression most of them should be preferenced to homeowner occupier. I think we have to be very careful whether it be this gentleman or someone else who is going to land bank and buy all over the city even if he is a very good developer, same as a side yard. We always want the neighbor to have the side yard and that is the intention of it. A lot of the questions that come, who is going to -- is some developer sneaking something in.

I think it's very important and I would urge if it is not in here first preference goes to homeownership

whether someone develops and sells it or CDC does it, or private individual. So I think it's very important we have the facts tomorrow and hopefully the Law Department addresses that and again does not put us especially Councilman Onorato in such a bad position. I don't think it's fair to anyone.

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Udin
	Mr. O'Connor
	(Pres't)

(Mr. Ricciardi voted no on Bill 1360)

Bills have received the legally required number of votes and have passed finally.

MS. MCDONALD PRESENTED:

Bill No. 1434:

Report of the Committee on Housing, Economic Development and Promotion for March 17, 1999, transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1377:

Resolution approving Execution of a Contract For Disposition of Land By and Between the Urban Redevelopment Authority of Pittsburgh and the International Brotherhood of Electrical Workers, Local Union No. 5, for the sale of Parcel E-1a (Part of Block 29J Lot 8) in the Sixteenth Ward of the City of Pittsburgh in Redevelopment Area No. 55, Carson Street, Council District No. 3 (construction of office building, apprenticeship training facility and conference center).

Which was read.

The Chair:

You have heard the reading and title of the bills, any discussion on the bills?

Bills are now ready for final action. All in I have favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine NOES None

Bills have received the legally required number of votes and have passed finally.

MR. COHEN PRESENTED:

Bill No. 1435:

Report of the Committee on Lands, Buildings, and Procurement for March 17, 1999, transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1372:

Resolution providing for the leasing of space located at Highland and Rippey Streets, Pittsburgh, PA Council District #9, 11th Ward (land to be improved by HOME DEPT U.S.A., INC. for a Home Improvement Center), from HOME DEPOT U.S.A., INC., for the purpose of establishing a Community Oriented Police mini-station. The lease term will be for 3 years and renewable annually subject to an annual appropriation provided by City Council. Yearly rental cost to the City of Pittsburgh is \$1.00 plus utilities. The City shall assume responsibility for the utilities, as they will be metered in the City of Pittsburgh's name.

Which was read.

Also,

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Bills are now ready for final action. All in favor of the passage of the bills, vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

(Mr. Ferlo voted no.)

Bills have received the legally required number of votes and have passed finally.

MR. FERLO PRESENTED:

Bill No. 1436:

Report of the Committee on Engineering and Construction for March 17, 1999, transmitting two resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1374:

Resolution amending Resolution No. 144, effective April 2, 1998, entitled "Providing for a Contract or Contracts, or use of existing Contracts in connection with the Grant Street Maintenance Program; and providing for the payment of

the cost thereof," by increasing the total project allocation by \$75,000.00 from \$152,500.00 to \$227,500.00.

Which was read.

Also,

Bill No. 1375:

Resolution providing for a Contract or Contracts, or use of existing Contracts and for the purchase of materials, equipment and supplies in connection with the construction of a new playground at Friendship Academy; at a cost not to exceed \$60,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Cohen:

Thank you, Mr. President. I want to thank my colleagues for their support for this authorization for money. It is not new money it has already been authorized. But this is actually moving it to be spent on the Friendship Community Playground.

My office is working with the Friendship Preservation Group and the Friendship Development Associates, Friendship School and a playground task force has been working literally for the last two to three years on this new playground. I am happy to say that the community has come up with money for it. The city has, the state has. It really is a combined effort. We have had many meetings about it and

we're putting a cooperation agreement together in our office that is going to be signed by all the major departments in this city. And hopefully we will have a playground built by the community actually all though smaller along the lines of Councilman Ferlo set many years ago with the Super Playground, it will be built by the community in late July of this year. I want to thank colleagues for their support and look forward to their being there on that day.

The Chair:

At the Friendship School, the old school?

Mr. Cohen:

That's correct.

Mr. Ferlo:

I am abstaining on this bill. I want to make it clear I am abstaining only because I disagree with the location of the construction of the playground.

The Chair:

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

Mr. Ricciardi:

I have a question, Mr. President. For your indulgence, but Mr. Ferlo said he is abstaining because he doesn't agree with the location? Is the community on board with the location, Mr. Ferlo, are they also

in objection?

Mr. Ferlo:

The community is not voting today, Jim Ferlo is voting. I don't happen to agree.

Mr. Ricciardi:

I mean -- who represents the district?

Mr. Cohen:

I do.

Mr. Ricciardi:

I apologize, Mr. Cohen, I thought this was part of Mr. Ferlo's --

Mr. Cohen:

Councilman Ferlo obviously is entitled to his opinion. This has gone through a community process, a long community process. That location, which is right in the front of Friendship School, is supported by the school, by the PTO, by the community and by the two neighborhood groups that represent that community.

The Chair:

How about the kids?

Mr. Cohen:

And the kids, they will be there so will my own.

Mr. Ferlo:

Nothing I said implied other than

that. I just do not agree with the location.

The Chair:

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

(Mr. Ferlo abstained on Bill 1375)

Bills have received the legally required number of votes and has passed finally.

The Chair:

Under motions and resolutions.

MOTIONS AND RESOLUTIONS MR. FERLO PRESENTED:

No. 1437 WHEREAS, the Pittsburgh Civic Garden Center maintains its principle place of business and conducts its principal activities in the City of Pittsburgh; and,

WHEREAS, the Applicant is organized and operated exclusively for educational purposes, and received a tax exempt status under the provisions of 101(6) of the Internal Revenue Code; and,

WHEREAS, the applicant desires to operate certain small games of chance and/or conduct raffles to generate funds to

finance its operations and further its purpose; and,

WHEREAS, under the Local Options Small Games of Chance Act, as amended, the applicant must procure a license from the Treasurer of the County of Allegheny; and,

WHEREAS, the Act provides that any non-profit organization, not affiliated with a national or state association, must procure a Resolution from the governing body of the municipality in which the association conducts its principal activities, affirming its status as a civic/or service association within the comprehension of the Act; and,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Pittsburgh hereby declare the Pittsburgh Civic Garden Center a civic and/or service organization within the context of the Local Options Small Games of Chance Act, as amended.

The Chair:

Motion to approve.

MR. FERLO moved to adopt.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

I would like to announce there will be a Post Agenda tomorrow the twenty-fourth at 2:00 p.m. concerning the discussion of street sweeping.

Mr. Ricciardi:

Yes. Thank you, colleagues. Colleagues, several weeks ago with all of your support we passed a resolution and I am going to take a moment to read it. It was directing the Public Safety Director, the Pittsburgh Police Chief, the Housing Authority Police Chief, the Housing Authority Director, the Youth Policy Coordinator to forward to Pittsburgh City Council within ten working days a report of actions taken to date addressing the recent shootings and violence between youth in the Hill Top communities in Council District Three. The report shall include any future community preventive measures such as community out reach and awareness programming. That was passed on, I believe presented March 3rd, passed on March 12th and unfortunately, colleagues, the report has not been forwarded to us.

The reason I bring this up is it appears that violence and shootings continue to escalate in some of my Hill Top communities, Mr. President. Now the problem is in the past it was with those that were involved with illegal activities. Now it has spilled over to just kids that are doing the right thing. To such an extent that in the past under the initiative that was brought forward by you, Mr. President, Mr. O'Connor, when it comes to our community enrichment programs a great idea and we all commend you for that.

I have picked Knoxville community for the community enrichment program, Mr. President. The reason for that, the Knoxville community the neighborhood does not have any city facilities such as the Southside and other neighborhoods. And now there are discussions we might have to close that community enrichment program because

of the fights, because of the random shootings that are occurring. People are being paralyzed, death has occurred between young people, the fights, the very vicious violent fights that just occurred several days ago in the parking lot. Well it first started in the community enrichment program and it spilled over.

Colleagues, I want to be honest with you, my initial reaction was to get tough. My initial reaction was to say that a few bad individuals, bad young people were not going to take away activities for all people. But then I had to think this out. I didn't want to take a tough, tough position and then let a young person get hurt, paralyzed or maybe even killed and then have that in my conscience. I have asked the Director, the very able Director Duane Ashley with Parks and Recreation to meet with our police officers, to meet with our COP officers, to meet with the principal of the Knoxville School who to be honest with you Mr. President, believes that we should close eight weeks early. That's his feeling because he doesn't believe we could properly protect those young individuals. Those young people that are coming to the community enrichment program to enjoy themselves and to better themselves.

Again, it would be great for me to take this grandstanding and try to get tough, but I can't have this on my conscience. So I just want to let you know that I have really put this decision in the hands of Duane Ashley. He needs to come before us and give me the best advise. But at the same time this resolution that we passed wasn't just paperwork. I need to know from the administration on a public safety level what are they doing to protect those young people that are doing the right

thing? What are they doing to protect the law-abiding citizens in several of the communities, in the Hill Top communities that I represent? What are they doing to be proactive with police work? And at the same time what preventive measures are they doing? What preventive measures are we doing to reach out to those young people that are on the fence that are on the edge?

Because I will tell you what I would like do to those shooters and that is to break their hands. And I mean that. Severe punishment needs -- a small group of people are terrorizing those individuals that are doing the right thing. Isn't that sad, Mr. President? A small group of individuals are terrorizing neighborhoods. They should have their hands broken. We should demand severe punishment from our judges. These people should be put a way. Put a way for years, put a way for decades. That would send the right message.

But once again I am being honest with the Knoxville Community, Beltzhoover Community, Saint Claire Village that this decision to the community enrichment program, I needed to put this in the hands of Duane Ashley. He needs to make the decision if we can continue and if we could provide safety. We have done it all. We have had COP Officers, we have had transportation. We have had city police there. We have had the School Board Police there. One gentleman who works for us, and God Bless him, I can't remember his last name, he put himself at risk. He put himself in front of two individuals and he took the punches.

Can you imagine that a city employee doing that in order to protect a

very young person? I mean fear went through. We had a bunch of young ladies, girls swimming in the pool they heard about the fight, they heard about their retaliation that was going to happen that evening. It was very fearful. We have put out letters asking parents to bring their kids to the community enrichment program, to pick them up. And I have asked the administration to forward me a report, Mr. President, and we didn't receive it.

This report wasn't just something I put together. It wasn't rhetoric, it wasn't just a bunch of words, it was something serious. I need to know what the administration is doing? We're part of the legislative process. We're not the administration. So I know this is going to be redundancy, but I am going to say it one more time, Duane Ashley has a big decision to make. I am going to live by that decision.

I am going to work very diligently with the police officers to make sure that the communities receive decent support, protection and I am going to -- that's why I am doing this publicly. I am going to put on the pressure to the administration to forward this report maybe in five more working days. Let them have five more working days and I am going to be there at every court hearing. I am going to be there April 7 against the vandals that have done graffiti in the Bates Street Corridor asking for severe punishment. Listen to what I am saying, severe punishment.

I am going to be there for every individual that is caught that is going to be brought forward in front of a judge or in front of a magistrate on the Hill Top communities and I am going to demand

severe punishment. If we don't receive it, the same thing I did with that judge when I think that he gave that million-dollar settlement to the gentleman on the motorcycle. I embarrassed that judge publicly; same thing I will do with any other magistrate or judge who does not deal with this problem severely. Thank you colleagues.

The Chair:

I would like to follow up on that. I have lived in the city all my life, I drive a car. Any time at night, any where in this city, I ride a bike, I walk. If there is ever a place that I am afraid to go, I will leave this city.

I just paid for my house and I ain't leaving. I think you need us, the Mayor, we should go up there tomorrow. It's not just about community enrichment, imagine the people that might live next to door to these so call hoodlums whoever they maybe. They're probably living in terror and fear.

That's unacceptable. So I hope Mr. Ashley comes up and tell us what he needs. And that community whoever those community leaders are get behind it and the leaders of this community get behind not just community enrichment but that whole area. There is not one area in this place I have ever been afraid to walk or drive and it certainly includes Knoxville. I have an aunt that lives not very far from there. That never should happen in this city. If it ever does, take all this downtown money and start hiring 500 more cops and put them on every corner.

Mr. Ricciardi:

For the record, the 30th Ward

Block Watch is at the upper Knoxville Block Watch is having a meeting this evening. So for the record, Mr. President, you are right. There are some very brave, strong individuals that are meeting publicly to address issues such as this. I thank you for that support, Mr. President.

Mr. Udin:

I just want to I promised the Director of General Services and the staff who maintain the elevators that when the conditions improved, I would be just as vocal about their improvement as I have been criticizing about their need to be improved. And I have to say that the department has responded and they have responded consistently. I think the elevators are much cleaner than they have been in the past. I thank all the staff members in the department, Mr. Costa, the Department Director.

I would also take the opportunity, Mr. President, to again thank Councilman Ferlo for the suggestion that he devised in separating the elevators between the city side and the county side. We received a memo recently from General Services indicating that that plan will be extended because it's working, because it made sense. My waiting time to come up to the fifth floor has been shortened tremendously. As far as I am concerned it was a very good idea and I want to thank again Mr. Ferlo for putting it forward and pushing the issue.

The Chair:

That is the idea of the century. It really works.

Mr. Ricciardi:

The city side works, the county side needs improvement.

Ms. McDonald:

As far as the elevators are concerned, I had suggested to Director Costa. This idea has been bantered about for years my understanding. Councilman Ferlo brought it around many years ago. And I know that previously before Director Costa came on board that the county was indeed approached shortly after I was on Council but there was not any receptivity towards that idea. So I am glad that we continued to pursue this idea and thanks for Councilman Ferlo for bringing it up many years ago probably before we were on Council.

But one thing about the elevators, I had asked Director Costa to look into placing signs on the elevator particularly on our side, the city side, for the sign actually is what I saw in another building. I forget what building I was in. But it said that the Surgeon General, the heart somebody says it is good for your heart if you are on the second floor to take the steps. If you are coming down one flight, take the steps. Some times you know oiling up those joints a little bit helps. And I am very health conscience and I had asked Director Costa to look into the type of signs and the wording that is used. It doesn't intimidate or doesn't it's not very punitive type of wording but it does suggest that if you are on the second floor or between two and three, four and five take the steps. It is good for your joints. It is good for your legs it is good for your heart.

I think as that we have elevators

now that only go from one to five at least two of them do, that there would be more of encouragement to tell people it is easier you have your own elevators but come on. So it is just basically looking out for the welfare of others. I have seen these signs in other buildings. One thing that we're doing with the elevators. I am personally tired of talking about elevators now not much as asphalt though.

For the Citizen Police Academy that's been around now for about a year or two, it's very successful. There was a meeting convened by Mr. Simmons with the Pennsylvania Human Relations Commission in conjunction with the Charles Morrison of our Human Relations Commission of Pittsburgh as well as the representative from the US Justice Department. There was a meeting held in East Liberty out of that meeting there were some other ideas that were tossed about from brochures to handouts to people that would about if the police stops you this is what you should do, dos and don'ts. So that there would be more effective police and citizen communication and rapport.

But the other thing that I had notion to Detective Ophelia Coleman, Cookie Coleman, is to be able to cablecast and tape the Citizen Police Academy sessions. There is only a cap of so many people that they can take. It is very popular and many people that live on the perimeter of the city as well as those that have crazy schedules cannot commit to every Wednesday from six to nine for 12 weeks that's a long time. So I think that out of these sessions comes out a wealth of information for the general community. A wealth of information. And considering some of the stuff that we see on Channel 17, I would rather be able to put much

more information on our cablecasting on our channel to educate the community.

So I have talked with Director Guy Costa and I will be following up with a memorandum as well as some form he says, he says the office has it and he says we will work out the money. But in the future there will be people from the Cable Bureau that will go to the Citizens Police Academy on Wednesday and tape the sessions. That will be taped and then it will be shown on Channel 17 at whatever times we will all work out the logistics of course. You know, Mike, I will be working with you on that because that directly falls under your committee. But I think it would help, it would help if we would cablecast those sessions. It's a learning experience. It's something that I would like to learn myself but I don't have three hours every Wednesday either. So that's something that will be put into motion.

The Chair:

I would like to comment on -- Ms. McDonald, I just would like to comment on the Civilian classes. I wonder if it is possible again I agree with you. I have been to a few of them. But I certainly don't have the time to go 11 weeks if some of them because I know they are very excited once they go through it, if some of them could volunteer to go to the schools and maybe be part of the, again I don't know what grade you start at, ninth grade or whatever, addressing issues like that. Coming from a civilian who just -- I think it would broaden everybody's perspective of both sides of the issues.

Mr. Ferlo:

Mr. President, I know the hour is late and I will be under five minutes, but I have four separate brief points.

First of all, I want to thank Director Costa for responding to my comments made last week regarding the motorcycle, police motorcycle situation. I had spoken about Harley Davidson offering a proposal to take our '97 motorcycles and equally give us a brand new motorcycle no questions asked. I believe he's exploring that within the state statutes of competitive bidding and all that.

But if we can do that, I would ask that we consider doing that. It seems like at least on the surface that it's a great idea. And I want to thank Director Costa for both the spirit of cooperative bidding and competitive bidding but also that this might be a good deal for the city. I would ask him to give us a formal report when he reaches some conclusion.

Secondly, I do have yet another Easter party for kids in my Council District. Kids are welcome to come eight years and under this coming Saturday at noon at Saint Karen's Parish. In the recreation hall, at Saint Karen's Saint Matthews Parish is in the 10th ward Lawrenceville, but again it is for all the kids from the neighborhoods that I represent. I look forward to seeing all the kids and the parents. We have magicians and all kinds of things planned for this event. It will be a real fun party.

Secondly, I would ask the Clerk to send a letter to the members regarding updating all of us on the information kiosk that we have been working on. I want to thank Linda Johnson-Wasler, Clerk and Mr. Mascio and yourself, Mr. President,

this will be a great high technology I will call it that, information technology kiosk that Council has already appropriated money for. It will be in the lobby before you reach the elevators or in that area there generally.

It is going to be a great opportunity for an inner active just by touch tone television, the public and residents in the city and those others who pass through the lobby will get a great idea of what city government is all about. It will have a wealth of information including even being able to print out public meeting notices and tax forms and other things that we have planned. So it is going to be a great thing and I want to thank you for your leadership and cooperation with me and the staff in trying to facilitate this. I am very excited about it. I hope it is going to be up and running very shortly.

Thirdly, Mr. President, I was have honored this past weekend to be founder and a convener of a new national organization that is now called the U.S. Cuba Sister cities Association. This past weekend in this Council Chambers beginning Friday evening we were welcomed by some 13 different cities around the United States who came to Pittsburgh to help found this national organization.

In the interest of time I would like to have the record reflect the delegates that came.

**From Cuban Interests Section,
Washington, DC**
Felix Wilson
Eugenio Martinez
Jorge Luis Bernaza

Conference Participants

Lisa Valanti

Pittsburgh-Matanzas

Ricardo Gonzalez

Madison-Camaguey

Madison, WI 53704

Jill Shinault

Mobile-Habana

John Dowlin

Philadelphia-Santiago

Clare Weaver

San Francisco

Robert Schaefer

President Mobile-Havana

Alabama

Jack Hopkins

President Bloomington-Santa Clara

Bloomington, IN 47401

Katherine Hopkins

Bloomington-Santa Clara

Jane Jackson

President, Oakland Santiago

Peggy Edwards

WILPF

Valencia, CA 91355

Ivania del Pozo

Canfield, OH 44406

Milton Sanchez-Parodi

Youngstown, OH

Alberto Jones

Palm Coast, FL 32137

Delvis Fernandez

Washington, DC 20002

Norine Fernandez

Hayward, CA 94541

Marilyn McKenna

Chicago, IL 60657

Brenda Smith

Global Links

Max Brandt

University of Pittsburgh

Semester-at-Sea

There were many Pittsburghers here as well and other delegates but we had 13 cities represented and Pittsburgh is kind of in the leadership on this. We are very pleased that the next week or so we are going to see a national sports game of the Cuban National Baseball team playing the Baltimore Orioles this coming week in Havana as well the Baltimore Orioles will be traveling to Baltimore in early May to have a baseball game there. And, as the colleagues know I am working with the Pittsburgh Pirates to see if we can't get a Cuban exhibition game in the new baseball only park, PNC Park, in a year and a half when it opens.

Again, this is not a political ideological organization, this is sister city organization trying to build on the good experiences of our local folks involved with the Pittsburgh Matanzas coalition, our sister city.

We also had representatives from the University of Pittsburgh, the Semester-at-Sea, not since the Bay of Pigs has Habana seen so many American's land on their shores. A Semester-at-Sea seen some 650 students left the boat and spent three

days in Havana at the University and they had signing of a twinning agreement between the University of Pittsburgh and the University in Havana Cuba. So it is a very exciting period. It is a period of a tremendous change.

We have a lot to learn from the Cuban's and we have a lot to offer the Cuban people. And that is the spirit in which the Sister City Association, which was founded here this past weekend in Pittsburgh will be all about and in the future I will keep everybody apprised. They were very impressed, Mr. President, with all of our flags.

With that, I just wanted to thank all of the colleagues for letting us use the chambers this weekend. It was a great opportunity and a special thanks to the clerk staff for their help in facilitating the conference this weekend. Thank you, Mr. President.

The Chair:

I just received a very brief memo that Omiya our sister city in Japan will be coming in May. So I certainly hope we can really treat them half as well as they treated us when we went.

Ms. McDonald:

I was just curious when we talk about Japan, I just heard that in Tokyo that the government has approved the use of Viagra for men, but they have still not approved the use of birth control pills for women. So I have some questions. I was little ticked off coming into work to hear that information. I don't like that.

Like I said, I am not a profound

feminist, but when it comes to women's rights and equal rights, you will reap my wrath if it is not done fairly. So I have questions for Japan.

The Chair:

I thought you were going to bring up I just read they are exploring Viagra for women.

With that said, next week is Passover and Easter, so we will be having our meetings Monday and Tuesday the 29th and 30th.

Again, I would like a motion to approve the minutes.

MR. FERLO moved to approve the minutes.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. FERLO moved to adjourn the meeting.

MR. HERTZBERG seconded the motion.

And on the motion made by Mr. Ferlo, the meeting adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXIII

March 29, 1999

No. 13

Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Monday, March 29, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. O'Connor

(Pres't)

ABSENT:

Mr. Ferlo

The Chair:

All please rise for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

We have with us Sava Demanski who is in the third grade at St. Bede's and she is nine years old today. She is with her brother Dylan who is in the first grade at

Saint Bede's, he is six half years old. They are accompanied by their father, Stewart, and their grandmother, Helen Shields, which is the mother of my assistant, Doug Shields. And also we have Emily Burns who is in the third grade at Saint Bede's and Emily is nine years old. She's accompanied by her mother, Linda. Needless to say they are in my Council District.

I understand St. Bede is all watching you, your grades. So let's do a good job all right.

Sava and Dylan Demanski and Emily Burns:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all.

The Chair:

Also with regret I have to announce remember in your prayers the death of Paul Ziminski, Jr. he is the nephew of Councilman Jim Ferlo, passed away in New York over the weekend. The Councilman has asked in lieu of flowers requested contributions to be made to the Make A Wish Foundation in Syracuse, New York. Paul was only 19 years old.

Also remember in your prayers a young girl Amanda Kunka (phonetic) from Greenfield just had a heart transplant on Friday in Children's Hospital. I know the

news media said today she is in critical condition, but her mother just called and said she is doing well and she is out of bed already. So our prayers are with both families. Thank you.

We have a flag for you of our country and city.

PRESENTATIONS

Tracy Stufft, please come up. She's from Family Resources. Thanks for coming over. Family Resources is a very important part of Pittsburgh and I want to read this resolution and thank Tracy for coming down.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 1438 WHEREAS, Family Resources was formed in 1986 as the result of a merger between the Pittsburgh Association for the Improvement of the Poor and the Child Abuse Prevention Center; and,

WHEREAS, the mission of Family Resources is to prevent and treat child abuse by strengthening families and neighborhoods; and,

WHEREAS, child abuse is behavior directed toward children that results in harm or injury or that seriously interferes with normal child development; and,

WHEREAS, each year, there are 2 million victims of child abuse and neglect in the United States; and,

WHEREAS, in communities around the country, April is observed as

Child Abuse Prevention Month in an effort to raise awareness about abuse, promote non-violent discipline and good communication between parents, children, and inform families about community resources; and,

WHEREAS, Family Resources and its partners in Child Abuse Prevention Month are distributing 60,000 Blue Ribbons to promote child abuse awareness; and,

WHEREAS, the goal of Child Abuse Prevention Month 1999 in Western Pennsylvania is to create caring for kids, which will include an Awards Dinner on April 27th with honorary dinner co-chairpersons Kaye & Bill Cowher, Peggy Finnegan and Michael Donnelly; and,

WHEREAS, the 1999 Child Abuse Prevention Month Honorees are:

The Giant Eagle Corporation
Bayer Corporation
Mr. Charles B. Jarrett, Jr., Esq.
(Plowman, Spiegel & Lewis)
Judy Cohen, MD and Anthony Mannarino, PhD

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Family Resources for their dedication and commitment to families and children; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare April 1999, "Child Abuse Prevention Month" in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Tracy, you want to tell us, a lot of things going on this month.

Ms. Stuft:

Thank you very much for the proclamation. As Bob O'Connor said April is Child Abuse Prevention Month and Family Resources along with our partners in the county and city are celebrating this month by distributing the blue ribbons, which we ask you to wear all throughout the month of April. If you have children take them to the Pittsburgh Zoo and on Thursdays with their blue ribbon they will receive \$2 off.

We have the awards dinner that Bob mentioned. We have the walk for families on April 10th, which we ask you all to come out to North Park and walk for families. And many other activities that encourage the prevention of child abuse and family activities to encourage families to be with their children.

We thank you for joining us in this effort to prevent child abuse.

The Chair:

We have two to be read into the record.

MR. DIVEN PRESENTED:

No. 1439 WHEREAS, during the weekend of March 26th through March 28th, 1999, competitors from around the country will hit the mats at the A. J. Palumbo Center in a three day battle for the title of National High School Wrestling Champion and,

WHEREAS, the championship has been an annual event in Pittsburgh since 1989 and,

WHEREAS, this event draws top athletes from schools across the United States and is open to high school seniors who have qualified as state finalists at their home tournament within the last four years and,

WHEREAS, the winner in each of the fourteen weight classes will be named National High School Champion and,

WHEREAS, the National High School Wrestling Championships have had numerous Olympic team members as their alumni.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby welcome the National High School Wrestling Championship competition to our city.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare March 26-28th, 1999 "National High School Wrestling Championship Weekend" in the city of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

MR. UDIN PRESENTS:

No. 1440 WHEREAS, the Islamic Council of Greater Pittsburgh are blessed with individuals dedicated to improve the greater welfare of the general community and enhance the quality of their religious life in the Pittsburgh area and;

WHEREAS, AL-Hajj signifies religious pilgrims completing the fifth pillar of Al-Islam and;

WHEREAS, these pilgrims in completing their religious rites will distribute food to those citizens who are less fortunate.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh declares March 27 and 28, 1999 as Eid Adha Weekend in the City of Pittsburgh.

MR. UDIN moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

MR. O'CONNOR AND ALL MEMBERS PRESENT:

No. 1441 WHEREAS, Parkinson's Disease is a chronic, progressive neurodegenerative disorder affecting as many as 1.5 million Americans and about 14,000 Southwestern Pennsylvanian's; and,

WHEREAS, the Greater Pittsburgh Chapter of the National Parkinson

Foundation and its President, Jim Cordy, a 50 year old Parkinson patient is actively seeking new members and support for Parkinson Disease research funding; and

WHEREAS, the two main goals of the Greater Pittsburgh Chapter is to increase the public's awareness of Parkinson Disease and to raise funds for research to find a cure; and,

WHEREAS, there are 15 Parkinson Disease support groups in the area, the newest one is located in Squirrel Hill to serve Pittsburgh's East End neighborhoods, and additional support groups are planned to serve the needs of residents throughout the city; and,

WHEREAS, the Pennsylvania Black Conference on Higher Education further achieves its mission through education, research, training and publication.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh commends Jim Cordy for his effort and initiative to create the Greater Pittsburgh Chapter of the National Parkinson Foundation and extends its thanks and appreciation to all of those who are working to support those afflicted with Parkinson Disease and devoting their time and energy to raise funds to find a cure; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh support the important mission of the Greater Pittsburgh Chapter of the National Parkinson Foundation and recognizes April as "Parkinson's Awareness Month" in the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

At this time we will let any speakers who want to address Council for two minutes? Please state your name and address for the record, please.

PUBLIC COMMENTS

Mr. Ayoob:

My name is Tom Ayoob, A-Y-O-O-B. My address of residence is 3088 Beechwood Boulevard, Pittsburgh 15217. I am here to speak to you this morning regarding two items of legislation. Bill Numbers 1379 and 1380 and specifically I represent two Citizen Councils, I represent the East Allegheny Community Council and I represent the Fineview Citizens Council.

With regard to Bill Number 1379 it contemplates the sale of property identified as 4250 Jay Street. And I would like to provide to Council my understanding of the law here in Pennsylvania with regard to Council's role on the sale of the transaction.

As you know the Fineview Citizens Council has spent dollars, time and energy in the pursuit of taking what had been a 15-year-old dilapidated old piece of property and placing it back on the taxing roles. This process began by the initiation of the treasurer sale by obtaining the proper title commitment and by proving the financial wherewithal and the

interest and the desire to fund the project to renovate the property. As a result of all of this, the property was placed for public bid and it was a sealed bid and unfortunately and ultimately the Citizens Council was not the high bidder for the property.

However, the Council's has in its discretion and I have a number of sources of authority to support this the ability to reject bids. In fact, if you take a look at the applicable law in the area and the applicable law is sited as the Second Class City Treasurer Sale and Collection Act, you will see, and I have copies for the members of Council here today. There is a provision that provides that the treasurer has the ability to enact legislation or rules and regulations governing that.

Specifically and I will pass this to you through my assistant here, Section 27 and -- if I may be permitted since I am addressing two pieces of legislation.

The Chair:

I will give you two more minutes.

Mr. Ayoob:

The regulations say the treasurer is authorized to promulgate regulations to aid in the administration of this act which regulations shall have the force and effect of law. The regulations, specifically the rules and procedures for purchasing property in the Make Us An Offer Program, state that the City of Pittsburgh retains the right to reject any bid after having stated the reasons for objection. All purchasers must be approved to purchase and all sales are subject to the approval of the Mayor and City Council. And I would like to also disseminate these

provisions to you.

Finally, in a recent decision that was upheld by the common wealth court in I guess what is known as the Myland (phonetic) case Judge Wettick (phonetic) specifically said that the city has the ability to have the property bid or placed out for public bid. But I am going to quote because the city is permitted to condition the property sale on securing approval of the Mayor and City Council. The city and the Council can reject any and all bids if they wish to do so. And that case that you are all familiar with and if you need me to disseminate that I also can.

Finally with regard to the Lockhart property. In addition to the provisions that give Council the ability to reject any and all bids, there is a provision that requires that the successful person bidding on the property also have with regard to the other properties that they own all their taxes current. They also to have all violations of the building code and zoning ordinance rectified. That's with regard to the property specifically located at 512 Lockhart and in this instance the successful bidder, a gentleman by the name of Stephen Mesich.

It has been brought to my attention and there are others here today that will point it out to the Council is in violation of the requirement of the city code because there are other delinquent tax properties that he owns. So you as a Council have a right and I want to re-emphasize that to reject the first bid or any and all bids if you wish to do so. Thank you.

Ms. Cain:

Good morning, my name is

Candace Cain, the President of the Fineview Citizens Council. I am here this morning with at least 15 residents who I ask to stand now. Thank you.

In November of '98 the Fineview Citizens Council presented a plan for development in Fineview to the Urban Redevelopment Authority. We were successful and at that time the Urban Redevelopment Authority allowed us to have a loan from the Pittsburgh Housing Construction Fund of \$221,000 for this project. It also allowed us a grant from that same Pittsburgh Housing Construction Fund of \$360 thousand and we have a Community Development Investment Fund Grant of \$150,000 and we have alone from PNC of \$810,000. We have a grant from the PNC of \$20,000. We have another grant from PPND of \$30,000.

This was not put together without a tremendous amount of work from our consultants as well as the residents of Fineview. This lot is extremely important to this development. It is essentially Fineview's only level vacant lot. It is key to the development because it is less costly to build on this. Plus the two houses are key to removing some blight in the neighborhood and as a whole improving a main corridor in Fineview plus the outlying areas.

I ask that the Council reject the bids and help the neighborhood groups in amaze department in this city and help us find a clear way. You have the ability to do it and I ask you to do it. Thank you.

Mr. Onorato:

I have, Candace, if you could explain those numbers you rattled off all

those different loans and grants they were for this Fineview development that included I have been hearing what 12 properties?

Ms. Cain:

That's right. Councilman, we have ten new properties that are going to be built and two properties that will be renovated. As a part of these ten new properties many dilapidated houses are going to be removed that are right on our bus way, right on our corridor. The total financial package is \$1,648,000.

Mr. Onorato:

Now when you were dealing with the URA getting loans and grants, the proposal you brought forward did it include these 12 properties?

Ms. Cain:

Yes it did.

Mr. Onorato:

It included the vacant lot that's up to day?

Ms. Cain:

That's right. It was a written proposal and the Jay Street lot was included in that proposal.

Mr. Onorato:

The URA saw that when you applied for this money?

Ms. Cain:

Yes they did. This property has been with us and we have been planning on it and putting it in written proposals to many city departments.

Mr. Onorato:

So when you brought that to the URA at that point in time, that was property that was owned by the city that you identified this lot? And obviously they thought your plan was at least a good plan because they gave you this money based on these 12 properties right?

Ms. Cain:

Yes. That is right. Not only that, Councilman, we recently got approval from the Zoning Board to build the two houses on the Jay Street lot, that is the Fineview Citizens Council got that approval from the Zoning Board.

Mr. Onorato:

If you build these what would be your plan to put them to get people in there? Just put them up for sale?

Ms. Cain:

Yes. These houses can be sold to any person of any level of income. However, the Fineview Citizens Council has a commitment to recruit low and moderate income people for these houses and there are special mortgages available for such individuals. We especially are encouraging Public Housing tenants to come and try for the ability to purchase these houses. We recruit friends and neighbors but also for putting them up to public so the public can know. As you know the North Side is going to be a very

exciting place to live.

Mr. Onorato:

Another thing, when you got the money from PNC Bank on the private site now, did you present the same plan to PNC Bank?

Ms. Cain:

I believe so. They knew that the Jay Street lot was going to be in the plan and they are granting us this loan based on that.

Mr. Onorato:

And any time during this discussion was the City of Pittsburgh's Real Estate Department involved when you were putting together the plan with the URA and PNC, did they know that this lot was part of this proposal?

Ms. Cain:

I can't tell you specifically that. My impression is, Councilman, that the city departments have been aware of this development and the lots that we have been working on for years. I know that we get city funding for the Fineview Citizens Council for a staff person just to work on housing.

Mr. Onorato:

One final question. Other than this piece of land that is in front of us now on Jay Street, are the other properties under control of the Fineview or are they still coming forward?

Ms. Cain:

I believe most of them are. There maybe another vacant lot or two vacant lots that might be not in Fineview's control, but they apparently are no problem.

Mr. Onorato:

So the majority of them right now Fineview has control of them?

Ms. Cain:

Right. That is right. We own them and in fact demolition is being conducted right now by the Fineview Citizen's Council on some of the blighted properties.

Mr. Onorato:

Thank you.

Ms. Kraus:

Good morning. My name is Marsha Kraus. I am the Fineview Citizens Council staff person. I have a prepared document if you will indulge me.

I am here to discuss what is commonly known as the Fineview Crest Two project and why the Council should reconsider the vote on accepting the highest bid on the Jay Street property. I am not here to cast dispersions or negative points of view on a highest bidder. Rather I am here to convince you why Fineview Citizens Council should be awarded this property.

This project actually started over ten years ago with Fineview Crest One which was built on property which had little or no tax base for the city. Today

these 12 properties bring in approximately \$1,275 per year, per lot or over \$15,000 total in city taxes. This does not include county taxes and additional revenues for water and sewer. All the residents in Fineview Crest One are overwhelmingly in favor of Fineview Crest Two completion for the following reasons.

One, it increases or at the very least maintains current property values. Beautifies the neighborhood by eliminating blight. Provides homeownership through the use of various housing programs. And adds ethnic and monetary neighborhood diversity. Just to mention a few. In addition, all the Fineview Crest One residents work within city limits and the majority actually work in downtown Pittsburgh further supporting its revitalization.

Completed in 1992 all 12 properties of Fineview Crest One are sold prior to completion. This demonstrates the desire for new homes close to downtown there by finalizing the decision to continue this trend with Fineview Crest Two. In the interim we demolished 220 Belleau Street and completely renovated 218 Belleau, which added another 1200 to the tax roles, water and sewer.

These 13 houses over their 30 year mortgage period will generate the City of Pittsburgh roughly a half million dollars in taxes alone with the addition of Fineview Crest Two. We would generate \$1 million in taxes alone over the same period of time. I do have a listing of properties of neighbors who willingly gave up their right to surrounding property in order to accommodate Fineview Crest Phase Two. They are 1702 and 04 Sandusky; 204, 214, 216 and 218 Belleau, 1705, 1713, and

1800 Meadville.

In addition, this project eliminates two unsightly and unmaintained paper streets, Veronica Way and Catoma Rear. Because of the previously mentioned reasons, not just Jay Street but a large portion of Fineview is effected. Should you not vote in favor of Fineview, we will loose the predevelopment money and grants and loans of \$150,000 and the \$1.68 million and Fineview development will cease as opposed to receiving ten thousand dollars for an undeveloped lot.

Prior to a final decision on this issue we implore you to take a tour of the development site nothing we can say will impact your decision as an onsite visit. Thank you for your time and willingness to hear our voices and concerns.

Ms. Burns:

Barbara Burns, East Allegheny Community Council, Vacant Property Working Group, 530 Avery Street, Pittsburgh, 15212.

I just want to clarify for Council the information about the taxes that Mr. Mesich -- This is concerning the property on Lockhart Street. To the best of my knowledge he is tax delinquent. We want to I think you best should certify this stuff but we do know that he went in on three/nine of '99 and paid off what was owed at Capital Assets. I understand he has paid some back taxes on the Polish Falcon but still has 1997, 1998 is due around the corner and they're outstanding.

We just want you to -- I want to be very clear that we have done the best we can to find out from public records what

this man owns or not. I think most important to us is that in both cases the two properties this man has acquired in this city both for a dollar he has hasn't managed to step to the table and to pay whatever obligations he has in a timely fashion. You will see in the packet there I drove up on Sunday because I am usually on my way to Chatham College, that was my route, went through Polish Hill quite a bit.

If you look at the Polish Falcon, and you see the retaining wall that is just on the sidewalk. What concerns me most is that the community has entrusted this man with a very important building to their community and it is as blighting as our building on Lockhart Street. I have seen no substantial reason to think that this man understands the obligation of maintaining property.

The other property on Downing Street which he got tax free, unencumbered for a dollar, he has managed to rent out but hasn't managed to pay his '98 or 1999 taxes to the city. We think these are indications of what is to come on Lockhart Street. Our community has fought very long and hard to remove longstanding blighted properties. Yes it's one building but if it was next to your home on your block, in your neighborhood one building matters. It is how we rebuilt our community one little house at a time. It is significant to us and it was part of a seven-unit project that took out longstanding nuisance properties, property owners that we have chased around the block literally for over a decade.

This was our hope to see the private market begin to function and Mr. Mesich had an opportunity to participate in

that. We would have required him to demonstrate some financial capabilities as well as timeliness in how that would be conducted. I don't think this man is interested in it. I think Council has the power and the authority in which to reject all bids. I suggest you do this. We need to go back and fix this problem.

Mr. Udin:

Did you say that the public record indicates he is tax delinquent on 1997 taxes?

Ms. Burns:

On the different properties, when he got the 310 Downing property and Polish Hill is here to also testify, he obviously is their problem too. He got that property for a dollar through a donation, a sales agreement with their Community Council. They paid all the taxes. He managed the to rent it out. As his attorney testified here, I guess he thinks he has until October or November of this year to decide if he is going to owner occupy it. He has not paid according to our records the city taxes for that property and of course the county taxes are not due yet but they are still outstanding.

Mr. Udin:

My questions is the year. Is there any tax owing for 1997 by this person?

Ms. Burns:

Not on that property. On the Polish Falcon.

Mr. Udin:

Any property?

Ms. Burns:

Oh yes.

Mr. Udin:

From 1997?

Ms. Burns:

Yes.

Mr. Udin:

What property does he owe taxes on for '97?

Ms. Burns:

The Polish Falcon.

Mr. Udin:

Okay. Thank you.

Ms. Burns:

He owes 1997, 1998 and 1999 county taxes to our knowledge on the Polish Falcon and he owes the city 1998 and '99 taxes on the Polish Falcon. Absolutely. Let him waltz in here and show some receipts.

Ms. Walgrish:

Good morning. My name is Sharon Walgrish (phonetic) from the Polish Hill Civic Association. I am here to talk to you about the 512 Lockhart. And first of all Mr. Mesich bought the Polish Falcons on Polish Hill for a dollar plus he agreed to pay all the back taxes which obviously he has not. He also agreed to

renovate the building, which as of Friday his building permits have been revoked and legal has been filed on him.

The building inspector has tried to get into see the building. He won't let him get in to see the building. He will not take care of any of the problems at hand. He had also purchased 310 Downing Street from the Civic Association for a dollar with a donation to the Association. In the deed there was a restriction put that it would be owner occupied within a year. To date it is not. He also stated that he took care of the code violations. There are many fire violations in that building. To date he has not filed for a building permit but he has rented the building out, both apartments.

We don't feel that this gentleman should be allowed to go into other communities and do the same thing to them. Obviously he has become quite a problem for us and will continue. I think he needs to be stopped. And I think Council is where it needs to come into play. I would appreciate if you would vote no to selling this man another property in this city. Thank you.

Mr. Udin:

Questions. When was the -- what is the date of the Downing Street?

Ms. Walgrish:

The Downing Street was sold to him on November 30th of '98. Falcons was sold to him in March 30th of '98.

Mr. Udin:

You said in the Downing Street sale he had provisions in the deed to be

owner occupied within a year. Within a year of what date?

Ms. Walgrish:

From November 30th of '98 to November 30th of '99. It's stipulated.

Mr. Udin:

He's not yet in violation of that.

Ms. Walgrish:

No. Not until November 30th. Thank you.

Mr. Masterson:

Mark Masterson, 200 Waldorf Street, Pittsburgh 15214. We are managing the projects for Fineview Citizen Council and the East Allegheny Community Council at the North Side Leadership Conference. Neither of these properties would -- the city would have never moved on these properties to put them into the treasurer sale if it hadn't been for the hard work of the neighborhood volunteers to indicate why these properties were problems.

We have put together strategic plans with the neighborhood organizations to identify key properties that will make the difference in the neighborhood. As you heard there is \$1.68 million committed to the Fineview Crest Two Project. Meaning if we had this property, we would be starting construction within 30 days. PNC Bank and the URA are in the ball game on this. URA approved this at their board meeting several months ago. PNC Bank is to the point do we have this property or not? We're fearful if we don't

have this property the project blows up and we are going to lose the opportunity for these 12 houses in the neighborhood that they have been working for the past three years on.

To the 512 Lockhart project, that was a project that has financing in place. URA approved it and the National City Bank is the construction lender on that project. We were doing this project trying to do it with no grants from funds from anyone, from the URA or any foundations. We were told we would be able to get these properties from the city. We were acquiring three blighted properties on major corridors privately. We have expended funds and now the Community Council is at risk of default because of this issue. Getting beyond those facts of the case and how and also the Community Council has been working on this property since 1994. To get this thing taken care of and it has been a problem for at least that long.

If you will allow just one more comment. This is not about whether the bidder is a good or bad person. This is about the ability to get the properties back on the tax roles in the highest and best manner and that the city gets the long term tax benefits of getting these things back on the treasurer sale. With the 512 Lockhart property you have an organization that is interested and has gotten financial commitments to do these properties. Has a track record of turning 15 or 20 properties over the past five years in the similar situation around and getting the blight eliminated and getting them back on the tax roles and getting home owners in them. It has done everything that we have been asked to do as far as getting the commitments and doing the things that we

need to do.

With the other party that is interested in this property there is a question as to timeliness. Whether or not he will have the financial wherewithal to do it based on some of his delinquencies with the city and the county and has no track record or has a questionable track record at best. It's up to Council from what Mr. Ayoob has said and we have discussed this with him. You have the right to reject any and all bids and we would ask that you do so in this case.

Mr. Udin:

As the manager for the two community organizations property development management, was it your organization that advised the community based organizations to go to the treasure sale route rather than URA directed sale route?

Mr. Masterson:

We were told by folks at the Law and Finance Department that there were going to be objectors and that there was a choice to make -- --

Mr. Udin:

Objectors to what?

Mr. Masterson:

Objectors to the treasurers sale to the URA Directed sale. It does not protect at that once someone comes in and says I am an objector meaning I want to be a bidder on the property too. Unless it is in an urban renewal area where the URA has eminent domain ability it means nothing.

You will wind up either bidding this at Common Pleas Court and at that point in time we had requested that this go to sealed bid so it would come before Council that had the right to reject any and all bids.

Mr. Udin:

So the answer to my question is yes?

Mr. Masterson:

Yes. On the advice of the City Law and Finance Department.

The Chair:

Any other speakers?

Please state your name and address.

Mr. English:

Gary English, 1504 Fairmont Street, 15221. Good morning. I am here to speak on two issues. First Council wishes to address the gun safety issue in the very near future. If this is truly a safety issue we contact members in the state legislature, however you plan to sue the gun manufacturers by pursuing this in the courtrooms. The motifs are clear this is more about money than it is about safety. I am hopeful that the recent state proposal will block such lawsuits and that you will reconsider your action.

The second issue deals with Councilman Onorato. I saw your plan to sell the relics of Three Rivers Stadium as a means to raise revenue for a proposed recreation fund. The fund's purpose is to build additional recreational facilities for

youth and to hire additional staff, to keep the school facilities open during the evenings.

On it's face one might believe this is a good idea but we first must look at the overall picture of the liabilities created of both past and present.

During the 1999 budget hearings, the city had a projected budget shortfall of \$28 million developing new ball games for our youth will also increase the maintenance cost to an already financially strapped city. Judging by comments made by this Council on the current condition of these venues, the city cannot take care of existing responsibilities let alone adding more.

Councilman Onorato has this jaundice view that the stadium auction is quote found money. Personally I thought that the money was never lost but the priorities were never found. The thought of raising a projected \$10 million has elected officials crawling out of the woodwork. Steve Leeper, Executive Director of the Stadium Authority, would like to use some of these funds to offset the demolition costs. It appears that Mr. Leeper has forgotten the details of Plan B including -- one minute extension please.

The Chair:

Please summarize.

Mr. English:

It appears Mr. Leeper has forgotten the details of Plan B including the site acquisition and preparation cost. Additionally, one should remember that

Three Rivers Stadium has a current debt remaining at \$34.6 million, which is equivalent to the original construction costs from 1970. A prudent use of the stadium auction would direct those funds to retire the stadium debt.

Mr. Onorato feels that the auction is worthy and will be successful because quote it the history of the building. Well I got something in the newspaper last week. They wish to commemorate Three Rivers Stadium. You can spend about \$55 and own your own stadium for a mere \$55. Councilman's comments give more credence to my original proposal to save Three Rivers Stadium as a historic landmark, after all the citizens did not approve Plan A or B. Thank you.

Mr. Onorato:

Mr. President, just since this gentleman is speaking on the record with a camera rolling, I would just like to get his facts straight. The actual bill that passed last week with the approval of Council specifically stated that the money could be used to reduce the debt or the cost of demolition and go back into reducing the public expenditures because of the discussion that came forward. There is no set plan on how to use the money. It is definitely up for debate and discussion.

There are two parts of the bill. One is that we have the auction to raise the money, but we left it open for how to spend the money. And his proposal to use it to write down the debt is one of those proposals. So for the public listening there is no plan or approval by this Council or anybody, to spend the money in any one particular way.

Mr. English:

Councilman, you did talk about this recreation fund as one of the proposals?

Mr. Onorato:

I did. And I thought it was interesting that you only pointed out the parts that would put certain people in a bad light, instead of the whole picture. But that is okay, you are allowed to advocate the way you want. I just wanted to give everybody all the information because I believe if you put all the information out people will have a better understanding instead of a slanted view the way you presented it, but that is fine.

Mr. English:

If you wish --

The Chair:

We're not going to debate the issue.

Mr. Udin:

Point of order. Mr. President, as a matter of procedure, for the public, let it be known that we are recently hearing members of the public in the front part of the Council legislative meetings pursuant to recent changes in the State Sunshine law which requires us to have public comment before action is taken. That public comment does not provide the right for a back and forth conversation. So as a matter of procedure I would suggest that henceforth unless a Councilman directs a question to a member of the public who has made a comment and requests a response that no responses beyond their

comment be entertained.

The Chair:

We're not going to get into a debate.

Mr. English:

You already set a precedence with the previous speakers.

Mr. Udin:

Point of order. Do we need to put this in the form of a vote?

Mr. English:

Because of the setting of that precedent --

The Chair:

Please summarize we're not going to debate each issue here.

Mr. English:

The last comment is, if we're going to put all the cards on the table I would like to see this body address the recent NFL proposal of having loans for stadiums and this wound up being hidden until after Plan B was passed. I would like to see a recall on that vote in this state house. Thank you.

Mr. Hertzberg:

Point of order. Mr. English, are you a resident of the city?

Mr. English:

It is a well-known fact that I am not a resident of the city. But I live in the highest property tax community in the county, and when city government wants opposing legislation that effects me personally I feel that I have the ability for redress. Thank you.

Mr. Hertzberg:

All right. Do you own property in the city or do you have a business in the city?

Mr. English:

The answer is neither to those questions. But again I will refer to comment that when this body of government acts on legislation that would effect us personally I feel that I have redress.

Mr. Hertzberg:

Just a point of order is neither the former Sunshine Act nor its amendments require us to have the public speak. It is residents and taxpayers who pay the city taxes.

Mr. English:

I pay taxes here. Because of the 1% sales tax imposed by this body.

The Chair:

All right. Let's move on we have a lengthy agenda and I believe we will have -- Mr. Hertzberg and Ms. McDonald you have resolutions concerning these matters that we brought forward. I think you are introducing them today. So, I hope we can discuss it at that time.

We will now move to presentation of papers.

MR. COHEN PRESENTED:

No. 1442 Resolution Authorizing and Directing the Office of the Mayor to operate the City of Pittsburgh Growth Initiative Fund, dedicated to attracting jobs and businesses to the City of Pittsburgh. --
-(SPONSORED BY MR. COHEN)

Which was read and referred to the Committee on Housing, Economic Development & Promotion.

MR. FERLO PRESENTED:

No. 1443 Resolution adopting an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters and/or environmental health hazards with sewage wastes, and to revise said plan whenever it is necessary to meet the sewage disposal needs of the municipality.

Which was read and referred to the Committee on Engineering and Construction.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Tuesday.

MS. MCDONALD seconded the motion.

Which motion prevailed.

MR. HERTZBERG PRESENTED:

No. 1444 Resolution Amending the Rules of Council, Rule IV (c) and VI (c), in compliance with the 1998 amendment to the Pennsylvania Sunshine Act. —
(SPONSORED BY MR. HERTZBERG)

Which was read and referred to the Committee on Finance and Budget.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Tuesday.

MR. COHEN seconded the motion.

Which motion prevailed.

Also,

No. 1445 Resolution Granting unto The University of Pittsburgh, 124 Cathedral of Learning, 4200 Fifth Avenue, Pittsburgh, PA 15260, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a steam line on Lytton Avenue, electric, telecommunication and chilled water lines on Tennyson Avenue and chilled water lines on Fifth Avenue.

No. 1446 Resolution Granting unto Cupka's Café II, Inc., 2314 E. Carson Street, Pittsburgh, Pennsylvania 15203, the privilege and license to construct, maintain and use at their own cost and expense, a sidewalk café on a portion of the sidewalk at 2314 E. Carson Street in the 16th Ward, 3rd Council District of the City of Pittsburgh.

No. 1447 Resolution Granting unto David and Patricia Wolf, 5801

Marlborough Avenue, Pittsburgh, Pennsylvania 15217, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a wall and fence on a portion of the right-of-way of Murray Avenue in the 14th Ward, 5th Council District of the City of Pittsburgh.

No. 1448 Resolution Accepting the dedication of certain property along Penelope Street, a portion of Lot and Block 15-A-120, between a 12' Unnamed Way and Spahrgrove Street in the 19th Ward, 2nd Council District, City of Pittsburgh.

Which were read and referred to the Committee on Public Works, Water & Environmental Services.

MS. MCDONALD PRESENTED:

No. 1449 Resolution amending the Rules of Council, VI, to comply with Pennsylvania Act 93 of 1998, recent amendments to the Sunshine Act, for procedures for public comment. —
(SPONSORED BY MS. MCDONALD)

Which was read and referred to the Committee on Finance and Budget.

MS. MCDONALD moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Tuesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. ONORATO PRESENTED:

No. 1450 Resolution Providing for the denial of the addition of the property located at 2500-2700 East Carson Street (north side), portions of Block and Lot Number 029-J-008, in the 17th Ward, City of Pittsburgh, to the existing East Carson Street Historic District, under Section 513 of Chapter 1007 of the Code of Ordinances.

Which was read and referred to the Committee on Planning, Zoning & Land Use.

MR. RICCIARDI PRESENTED:

No. 1451 Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$102,500.00 in the Department of Parks and Recreation.

Which was read and referred to the Committee on Parks, Recreation & Youth Policy.

MR. RICCIARDI moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Tuesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. UDIN PRESENTED:

No. 1452 An Ordinance amending the Pittsburgh Code, Title One, Administrative, Article XI, Personnel. Chapter 181, General Provisions, Section 181.09, Advance of Expenses, by deleting "City Treasurer."

No. 1453 Resolution Providing for the issuance of a warrant in the sum of \$15,000 to USX Corporation and Bethlehem Steel Corporation c/o Barry J. Trilling, Esquire, Pepper Hamilton & Scheetz, LLP, 50th Floor One Mellon Bank Center, 500 Grant Street, Pittsburgh, PA 15219-2502, in full and final settlement of the action filed at C.A. 96-1240 alleging the release of hazardous substances from a landfill located in Elizabeth Township.

No. 1454 Resolution amending Resolution No. 779, effective January 1, 1999, entitled, "Making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the year," by making certain corrections.

No. 1455 Resolution amending Resolution No. 780, effective January 1, 1999, entitled, "Fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels for designated positions," by making certain corrections.

No. 1456 Resolution Providing for the advertisement for proposals and to award and enter into an agreement(s), professional service agreement(s), and/or contract(s) or use existing agreement(s), professional service agreement(s), and/or contract(s) for Information Systems Modernization to include upgrades to the City's existing information system

infrastructure for the Year 2000 Compliance in conjunction with all City Departments and applications for the purchase of equipment, supplies, communication, hardware, software, training, professional services, and maintenance. The amount will not exceed Eight Hundred Seventy-Five Thousand Dollars (\$875,000.00).

No. 1457 Resolution Providing for the advertisement for proposals and to award and enter into an agreement(s), professional service agreement(s), and/or contract(s) or use existing agreement(s) and/or contract(s) to maintain and develop numerous Public Safety applications for the bureaus of Police, Fire, and EMS in conjunction with Y2K and the Copsmore Program for any and all expenses associated with the purchase of computer equipment, software, communications equipment, analysis, design, development, programming, professional services, and maintenance in conjunction with the feasibility, development, enhancement or implementation of the Mobile Data Terminals, New Computer Aided Dispatch System, and Imaging Application and Copsmore95 and 96 Programs as they relate to Public Safety Applications. The amount of this request will not exceed Three Hundred Seventy-Five Thousand Dollars (\$375,000.00).

Which were read and referred to the Committee on Finance and Budget.

MR. O'CONNOR PRESENTED:

No. 1458 Resolution Authorizing and directing the Director of Planning, in conjunction with the Urban Redevelopment Authority of Pittsburgh, to develop a comprehensive redevelopment plan for the

LTV Steel Company, Inc.'s former Coke and By-Products facility and the Irvine/Second Avenue commercial corridor in Hazelwood and, furthermore, to develop strategies for the possible acquisition of the LTV property by the URA. —
(SPONSORED BY MR. O'CONNOR & MR. HERTZBERG)

Which was read and referred to the Committee on Planning, Zoning & Land Use.

No. 1459 Communication from Tom Flaherty, City Controller, submitting a Performance Audit: Wayfinder Signage Program II: Expenditure Report, dated March, 1999.

Which was read, received and filed.

The Chair:

Motion to receive and file.

MR. HERTZBERG moved to receive and file.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

Now move to unfinished business.
Is there any unfinished business to come in front of Council?

UNFINISHED BUSINESS

Mr. Hertzberg:

Thank you, Mr. President. If you recall Deputy Mayor Sal Sirabella asked us at a meeting a few weeks ago if we would be involved in Operations Summits. I have

been working with all the Council to try to get the ball rolling on that and in fact it looks like that will start either the third or fourth week in April.

We will have Operations Summit meetings. They will be held at 9:30 on the days when the Standing Committees Meeting starts at ten. They will involve Deputy Mayor Sal Sirabella and our Departments of Public Works, Parks and Recreation, Engineering and Construction and General Services. And the Deputy Mayor will be submitting an agenda for each of those, they will occur on a monthly basis. And I have one other item of unfinished business if there --

Mr. Ricciardi:

Same issue. I think it is a great idea to put forward by Deputy Mayor Sal Sirabella and that is also being helped logistically by the public chairperson, Mr. Alan Hertzberg. If I can just you recall several months ago before the snow came I had to raise the issue to make sure that everything was properly ready and at that particular time we did run into some problems. But I would hope one of the first things we address on operations to Mr. Sirabella and Mr. Hertzberg in Public Works is vacant lots. I think we should be planning ahead of time.

I still recall the Mayor's budget had zero and this Council came forward by initiatives by Mr. Hertzberg and others and put some monies into it but I think we're way short what we have done in the past years. So, Mr. Hertzberg maybe the first thing we can have on the agenda for the first meeting is how much money is available to do three taxing bodies? Property owned by all three taxing bodies. Property owned by the City of Pittsburgh

and property owned by the URA and maybe work with CitySource and Ralph Kraszewski and see what we have done in the past and what we forecast to do in the future? I think we are going to becoming up short. I think the same amount of calls we received in the past about snow and ice removal is the same amount of calls we're going to be receiving about vacant lots not being properly cleared of debris and shrubbery. So maybe we could plan ahead of time. I think this is a great idea put forward by Mr.'s Hertzberg and Sirabella.

Mr. Hertzberg:

That would be fine. The difference on these meetings compared with anything that Council calls is of course is that the administration will set the agenda. But you're certainly welcome to communicate that to Mr. Sirabella. I think that's a good topic and one of the ideas of these Operations Summits is when a new initiative or some new legislation is going to be introduced, to try to inform us in advance. So we can start to get a feel for what's happening when there are going to be changes. Or I think it's a very good opportunity on an issue like vacant lots or even swimming pool operations before we're in the midst of the season to try to get a handle on the operations of these different items.

The Chair:

When will the first meeting be?
Do you have it scheduled yet?

Mr. Hertzberg:

It is either the first or third week of April.

On another topic. I want to remind everyone tomorrow Councilwoman McDonald and I called for a Post Agenda concerning the Federal Empowerment Zone effort that we made in this region and that we failed at.

I would ask everyone to take a look, you should have received a packet from the URA from I guess it came from Edward Henry at the URA; it's a pretty thick packet. It is very interesting. I had an opportunity to review it this morning.

We have received RSVP's from Congressman Ron Klink and also from Congressman Bill Coyne. They will be here tomorrow at two. It is a cablecast Post Agenda meeting.

Again, please take a look at this. I think there is some very interesting statements in here including something that is somewhat critical of our application. A believe that there was probably not enough community participation in that it seemed to be a top down kind of application rather than having a lot of grassroots participation in the process. And that may or may not be correct, but that's how the people that analyzed this application felt from what they could see from what documentation was presented and that was a critical error where we lost a lot of points.

If you get a chance, please try to review this and we can be prepared to ask the Congressmen and anyone else that comes here about the Empowerment Zone application and its failure.

The Chair:

Is the Mayor's Office and the

administration invited?

Mr. Hertzberg:

To my knowledge, yes, Mr. President.

The Chair:

I think they play a key role in this. Thank you.

Any thing else under unfinished business? Move to Committee Chair Reports.

CHAIR REPORTS

Ms. McDonald:

Thank you, Mr. President. Some items of information and in addition to the Post Agenda that Councilman Hertzberg will be chairing tomorrow. There will also be a cablecast Post Agenda meeting scheduled for Wednesday, March 31st at ten a.m. in City Council chambers to discuss all the financial opportunities that are forward to NBE and WBE firms. This Post Agenda why it is coming out of a meeting with the African American Business Round table in which there was discussion on financial assistance opportunities from the Keystone Opportunity Fund to other funding sources. If it was confusing to members of the Round Table it definitely is confusing to others out there.

So I am convening this so it would give the public an opportunity to understand all the opportunities that are out there, how they differ, how these opportunities can be accessed. So there are a number of people invited and there

will be handouts. So I invite the public if you are interested in finding out about financial assistance opportunities, you can either tune in or you can come to Council chambers.

Mr. Ricciardi:

Who are the invitees?

Ms. McDonald:

The URA, Dr. Mulugetta Birru, Commissioner Mike Dawida, who recently announced a two million -- I am not even going to go into the county, not with you Gene. You're going to touch it. Tom Cox with the Mayor's Office in charge of development, our City Law Department, the Black Contractors Association, Mr. Clarence Curry who oversees the Plan B oversight, Phil Petite, the Keystone Minority Capital Fund, SBA, the Allegheny County NBE/WBE, Mr. Kendrick, Hop Kendrick, Steve Leeper, Dorris Carson Williams with the African American Chamber of Commerce, Lawrence Adams Hunt with Pittsburgh Regional Minority Purchasing Council, and Sharon Williams with Minority Enterprise Corporation, and most parties here will have information.

Mr. Ricciardi:

I just want to thank Ms. McDonald for coming forward with that, Mr. O'Connor. Not just so the public better understands the process of participation and how to become part of this system but also for Council members. I will be perfectly honest with all of you; I am becoming confused because we're having so many different committees that have sprung up, very fine committees. We have

so many different bodies, governmental bodies, involved. Volunteers and others and I am a little confused on how to plug people into the system.

I think what this is going to do, Ms. McDonald, just see what our goal is. See what our mission is. See what resources are out there. See who is part of the wheel, where are the spokes where are the cogs and try to work together. So I am looking forward to this just to inform myself.

Ms. McDonald:

I am too, Councilman, because again I am still not clear and I am hoping that everyone will be clear after this. Thank you.

The Chair:

When is the date of that?

Ms. McDonald:

This Wednesday, March 31, at ten a.m.

The Chair:

Is it televised?

Ms. McDonald:

Yes.

Mr. Dennis Davin of the URA had briefed me on some of the development that possibly are highlighted under Housing Economic Development and Promotion. Just briefly, Aliquippa Terrace most of the units are 15% completed. The remaining units to close in May.

Crawford Square 35% completion in this phase three and three units are under construction or completed for sale.

At Pennly Park there is a 20% completion so far under phase one. Phase two is not yet determined as to projected completion date.

Bedford Dwellings defining phase one area to begin the expansion of the redevelopment plan. Acquisitions to begin in late 1999 construction to begin in mid 2000.

The farmers market currently there are 55 residents who are transitionally housed in Allegheny Center to be placed in the new senior citizen facility. That new facility is to be completed in early 2000. Other residents have been given vouchers or what have you to relocate in other residence.

Construction is to begin in mid March, kind of late we're already towards the end of March. North Side properties this is interesting and this is a hot topic. I will read it and then comment. There are 333 units scattered throughout the North Side. These areas include the communities of California, Kirkbride, Brighton Road, Central North Side and Perry South. Many of these residents have been in their houses for 20 to 25 years. The units are owned by Mistick and the HUD project based rental assistance is expiring. This is a yearly thing for them it has to be renewed. I believe they want to get out of this ordeal.

The Residents Council has hired National Housing Trust to develop a plan for the transfer of ownership and

rehabilitation of these units. There are approximately three organizations that have a very good track record of managing rental assistance housing and there is a proposal and a push by Councilman Udin for home ownership. But again the Residents Council has hired NHT to look into ownership, rehabilitation and transfer of this property from Mistick.

The plan will include some demolition, conversion to home ownership and affordable rental. The URA recently approved a loan to the North Side Leadership Conference to contract with NHT. This along with Federal American Properties, my favorite family people, and the Hope Six Developments is considered one of the top priorities for the city in terms of affordable housing. There was a \$45,000 I don't know the contract but allocation given to the North Side Leadership Conference to develop this plan.

South Side Works. The URA authorized exclusive -- I am just reading it Gene, exclusive negotiations with Continental Communities to develop approximately 300 market rate apartment units on the former LTV site. A late summer construction start is planned on the Southside Works Project.

Mellon Street, I am sure if Councilman Ferlo were here he would comment since he's been on top of this and very concerned. Right now next Tuesday, they will be closing -- the URA will be closing on the last unit so there will be total acquisition of the Mellon Street townhouses and the demolition will be within the next two weeks. They will be demolished.

Councilman Ferlo so that you know has had a commitment from the URA to have a party to celebrate all of this, for only Ferlo. So there will be a demolition party within about two weeks. I am invited.

South Shore, Federal American properties, my favorite people. They are -- I am just going to read this. Working with the community builders to develop a plan to purchase the general partnership interest of Federal American in the three ungodly high rises and low rises in East Liberty. There is a total of 644 units within Liberty Park East Mall and Penn Center. The URA is working on a plan to revise the Salvation Army proposal for homeless housing at this site. This along with the North Side properties in Hope Six Developments is considered one of the top priorities for the city in terms of affordable housing. It is an entire plan that the city, the administration is undertaking to address affordable housing and they will be meeting with Council members on a plan within approximately or after about two months and that should be interesting, very interesting for all of us.

But to keep you up-to-date, the Salvation Army -- and I would have to say accolade to them have been very responsive to the community in terms of their concern about having such a delinquent awful landlord such as Federal American Properties to be able to give to them and lease seventy God awful townhouses for homeless people and only have \$5,000 to renovate those townhouses. It concentrates 70 people who need social service intervention right in the mix of other situations where there also needs to be social intervention.

Not a good mix for East Liberty whatsoever, so I am pleased to see that Salvation Army is working with the community and with the URA working with the community. We're going to find some scattered sites and the Salvation Army is going to apply for phase two with HUD and that will be a modification of phase one to rethink that. We're pushing for scattered sites because it is better for those people instead of being focused in on another project so to speak.

And downtown housing there is a plan for conversion for 911 Penn Avenue right in the cultural district and into 123 Market Rate Apartment units. There will be foundations contributing to this so there will be private monies. But they're also going to ask for tax increment financing. Mr. Davin is going to be working with Mr. Birru to convene the TIF committee so that we are already functioning when this kind of thing comes up so Council is clear on why the tax increment financing. Basically that's all. I am open to questions.

Mr. Ricciardi:

Yes, thank you very much. Ms. McDonald's opening remarks touched upon some very high profile projects in the City of Pittsburgh and I thank her for bringing that forward. But there are other successes and I am very pleased with the efforts of Mayor Tom Murphy, Executive Secretary Tom Cox, our very fine and able Director of the URA Dr. Birru and Charles Reeves.

Mr. O'Connor, as you know because you have been there several times with me up in the Allentown neighborhood. We have been very

successful with our million-dollar hostile that is literally sold out. Weekend by weekend and I think we're on hopefully towards our 50th or 60th country that is being represented, our drug store. We have been able to recruit a very fine upscale restaurant, Lafamilia (phonetic) by Davio in Allentown. Dr. Birru and Cox and Ms. McDonald and yourself Mr. O'Connor are helping me with some additional funding for the Allentown area, our street face and our public improvement of which the community is having fundraisers and pitching in a lot of dollars. I think we are going to be very successful with that.

So I just want to say I realize there is a lot of high profile projects that occur in the City of Pittsburgh but I hope residents realize that we have a lot of other successes to be told. I am very happy with Charles Reeves and Dr. Birru and I hope they continue their fine work on the Warrington Business Corridor, the Allentown neighborhood. After that, I look forward with help on the Arlington Avenue in the Arlington neighborhood. I want to thank everyone involved.

The Chair:

Thank you especially for all your activities up there and leadership.

Mr. Udin:

Yes. I want to thank Councilwoman McDonald for her report and also for her insight in kind of ringing the clarion call for what I consider to be a crises that will soon be at our front door regarding affordable housing for very low income people within the City of Pittsburgh.

Unbeknownst to many people, the Republicans in Congress are radically changing the way this nation houses its poor. It is sending out regulations to Housing Authorities across the country, certainly including Pittsburgh, that is requiring and forcing Housing Authorities to make a cost estimate. A cost and analysis of the Public Housing, the huge high density Public Housing Projects that have been built since the Second World War that they have not maintained.

Now at the turn of the millenium they're saying if these buildings and communities which we have ignored for 50 years, if it is more cost effective to voucher out all of these communities with Section 8 vouchers and you don't have the money to renovate these buildings. And you can't use our money then you have required to just give Section 8 to all the residents. Let them fend for themselves where ever they can find a landlord willing to take Section 8 housing. We conceive from the resistance of communities in Allegheny County how difficult it is going to be for residents who are trying to find a home with a Section 8 voucher to find a home. It is going to become increasingly more problematic as the numbers of people who require affordable, low income housing to find places to live.

In addition to that, there is something called the Project Base Section 8 that Councilwoman McDonald referred to. This is more onerous than the individual family with Section 8. This is a situation where a whole high rise might be under a so-called Project Base Section 8 situation and the private owner like a Mistick or like a community builder or some of the others would decide they don't

want to be in this deal any more. They're ready to get out of the Project Base Section Eight contract with HUD. What happens to all of those peoples that are living in those high rises? Or in the case of North Side properties it was 333 different individual properties, which Mistick has been maintaining for I think almost 20 years now. And now Mistick is deciding they don't want to be in this contract with HUD any more. The people who are in these communities are left having to defend for themselves.

Unfortunately because Project Base Section Eight houses resulted from a contract between HUD and the private owner, it bypassed the Housing Authority so the Housing Authority has no administrative jurisdiction over these large section eight communities. The City of Pittsburgh has nobody in place to respond to the needs of these communities except the Housing Authority, which doesn't have any jurisdiction in it. So a lot of people are being left without knowing where to go and the city's housing policy is inadequate I think to respond to the coming needs over the next five or ten years, Ms. McDonald, of affordable housing for the very low income residents of this city.

There is the Urban Redevelopment Authority that has a piece of the action, Housing Authority has a piece of the action, the local HUD office has a piece of the action, the City Planning has a piece of the action. Eloise Hirsh in Planning has been trying to convene a meeting of all of these participants to try to get ready for this oncoming problem. But in terms of city policy we are not ready to meet what is right around the corner. I would urge all Council colleagues who have concern about decent, safe and sanitary housing for

the low income we had better get on this issue before it becomes more of a crises than it already is.

Mr. Ricciardi:

Yes, same issue. Thank you. Mr. Udin is definitely looking at the bigger picture and maybe this calls for either a post agenda or maybe some meetings between the administration, authorities and Council members. But I would like to take two snapshots of that picture. One was the affordable subsidized housing that this body supported, that I supported in the South Side area that I think is going to be just a marvelous project that is going to look good. We are going to have fine residents there and it is going to definitely help those that are looking for affordable housing.

The other is and I am very pleased with the input that we have received from Director Lowe of the Housing Authority, the Tenants Councils, Tenant Council's of Arlington Heights, Housing Community, the leadership of the Arlington Community and the neighbors. What has occurred there is that the Arlington neighborhood and Arlington Heights neighborhood came together and realized with the demolition of many, many units, and with the availability of the vouchers that there will be X number of individual families looking for housing in the immediate neighborhood and it just worked out marvelously. There was no friction, there was definitely a feeling of friendship and a feeling of that we're all city residents and everyone should have a decent place to live.

Director Lowe has called me numerous times to attend some other

meetings that he has scheduled for the future. I missed the last one. I think he is doing just a fine job. I am not sure what I can add to it. I guess what I am saying is Mr. Udin raises a good picture -- raises good issues for the bigger picture. But I want you to note if you look at two snapshots, I am very, very proud of residents in the South Side. We're going to be helping those that need affordable housing and very, very proud of the Arlington neighborhood who really just opened up their arms and took in so many people that were looking for affordable housing. As a matter of fact even helping with the landlords to help pinpoint which houses were available. So, Mr. Udin, I don't take away from the bigger picture there, but I think it was very important for me to show those two items what is occurring in South Pittsburgh neighborhoods. Thank you.

The Chair:

Mr. Udin, can I ask you a question? I know Terrace Village has been for years large grants have come in and when I drive through I usually go by Pitt and I see part of it I don't usually drive all the way in. Is that money being spent and remember that whole area was supposed to be renovated?

Mr. Udin:

Fortunately, Pittsburgh has two large grants called, actually three, called Hope Six. And the Terrace Village community is included in one of the in fact the largest of the Hope Six grants. If you look at Manchester and the revitalization that has occurred in Manchester and Crawford Square that's the hope that we can convert these large communities like Terrace Village to become communities

like Manchester so that when you drive through it you cannot visibly recognize it as low income housing. But Terrace Village is included, Bedford Dwelling is included, and Manchester is included.

The Chair:

So the Hope Six money is still there and being used?

Mr. Udin:

Yes.

The Chair:

I would ask you to maybe call a post agenda and update everyone in the near future what is going on there.

Mr. Hertzberg:

Thank you. I don't want to rain on everyone's parade, but my experience in Broadhead Manor and this has already happened in Council District Two. I think this was probably the first housing authority community where this whole new policy was implemented and it wasn't well maintained at the time and flunked all the federal tests and therefore the decision was made that it was to be demolished. About four hundred units in fact were demolished.

I think the tenants that had to be relocated were totally unprepared to be relocated. I think the neighborhoods where a lot of them ended up were totally unprepared for the tenants. Maybe the Housing Authority has learned a lesson from that experience and maybe everyone in local government has, it's a very difficult process and there is a lot of

potential for some extreme tension in our neighborhoods as a result of the implementation of these policies.

I think every single one of our departments needs to get on top of it and work on it. Our Planning Department, our Human Relations Commission needs to be on top of the situation. It's across the boards kind of problems that needs to be addressed with these new housing policies. And you look at what happened to the community in Broadhead Manor and with all these communities you're starting with a number of units. If you are going to rebuild the community, the ultimate number that rebuilt, they are always less. I mean the result so far is that the Housing Authority itself has been downsized in the number of units it manages. Probably the point we're now and maybe Mr. Udin can give us the figure. But I think they're only 50 or 75% of what they were four years ago with the number of units that they now manage.

So the result is, yeah there are plenty of people that have to go elsewhere for housing. Where are they going? What are they doing? We need to work on that and make it smooth. As Mr. Udin mentioned in the opening part of his remarks, what about the rest of the county? The city traditionally has born the responsibility for low income people and that's just not right. You come up with a need for 100 units outside of the city, boy we have got lawsuits in federal court being appealed at all levels. A hundred units is too much for the communities outside the city. So I think we all need to regionally deal with this problem and it is a problem.

Mr. Udin:

Councilwoman McDonald has become the new housing committee chair just in time.

Ms. McDonald:

I don't have kind words for many communities who decide they want to annex or fight in court the fact that people who are low income shouldn't live alongside them. I don't want to hear it and I am just very intolerant. I just kind of keep quite and keep on top of things, but thank you Councilman Udin it is wonderful being here at this time.

The Chair:

I believe it's time maybe between the both of you we have a post agenda to update us on what is going on. Not only for what we call housing communities, former projects as they're going out, whether they're working off welfare which may sound good positive in some cases, but what happens to the future poor? Where do they go? You hear about we are always going to have poor underprivileged people so, what is our plans for them in the future?

Ms. McDonald on the -- you may have mentioned it, Washington Boulevard the veterans, is that the Mellon or is that something, how is that?

Ms. McDonald:

The veterans place --

The Chair:

They were tearing them down the old drive-in there.

Ms. McDonald:

The Jewish War Veterans. Yeah, that is already in the process of demolition. If you drive down Washington Boulevard you will see that there is already movement a foot in terms of preparing the site, for preparing the units for rehabilitation. Again that project is undertaken by the Jewish War Veterans and it will not be solely -- people say is it just going to be for Jewish War Veterans. No it is going to be open, but they are going to focus on veterans who do need housing, who need assistance, who do need some type of intervention to get back on their feet.

They paid their dues, they did what a lot of people do not, are not forced to do, and we cannot ignore them. That's why this project is important because they need to be taken care of too. It's going to revitalize that area because again that you talk about blight that was blight right there and that is a main thoroughfare. I applaud the efforts to try to renovate. It differs totally from the whole concept of the proposal on Federal American Properties for 70 homeless or what would be best to say transitional family project is different but that's going.

The Chair:

I would like you to get us a target date, when that will be complete. Because just thinking about driving up Washington Boulevard with a new bicycle park, the new police station with this done and I understand there are four corners the restaurant, the two new BP's or gas stations, that's becoming quite a nice entrance to that end of the city.

I want to commend you and

congratulate you on the Home Depot dash Vento's groundbreaking, you, Mr. Ferlo, the Mayor and I think all Council members who were very much behind this initiative. I believe again from all the things in the city, I think that may be the best one. I think it really help surround all those areas and I know I did have a request if Vento's could have a sign too like coming soon like Home Depot, I am sure you can arrange that with the URA.

Ms. McDonald:

Is that a request?

The Chair:

Yes.

Ms. McDonald:

A Vento's sign coming soon. I will look into this, but thank you very much for those kind remarks. Thank you for your presence Councilman Hertzberg. Thank you for your presence there as board member of the URA to enjoy the festivities and applaud the administration for their vision, for their tenacity in pushing East Liberty and for their continued tenacity in helping this East Liberty region grow.

The Chair:

Thank you. Again, I failed to thank the URA, Mr. Birru and Mr. Hertzberg I think again thank you very much. I think that is going to change that whole East End.

Now move to reports of committee.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1460:

Report of the Committee on Finance and Budget for March 24, 1999 transmitting one ordinance and sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1402:

Resolution authorizing and directing the solicitor of the City of Pittsburgh to enter into a legal agreement with the Stadium Authority of the City of Pittsburgh for the purpose of selling various fixtures currently located in Three Rivers Stadium with the proceeds to benefit various youth athletic funds. —
(SPONSORED BY MR. ONORATO)

Which was read.

Also,

Bill No. 1403:

Resolution repealing Resolution No. 770, approved December 30, 1998, providing for the transfer of the aggregate amount of \$10,164.90 from various codes to Salaries, Regular Employees, Account 511000, Fund 1000, Organization 510000, Subclass 010, Year 1998. (PRESENTED BY MR. RICCIARDI).

Which was read.

Also,

Bill No. 1404:

An Ordinance Amending the Pittsburgh Code; Title Two "Fiscal"; Article IX, "Property Taxes"; Chapter 263, "Real Property Tax and Exemption", Section 263.22 "Participation In The Property Tax Relief Program" paragraphs (a) and (b), by increasing the maximum income limit for participation in the Property Tax Relief Program and setting standards for certification; and Section 263.23 "City Treasurer Duties" paragraph (b), by clarifying filing requirements.

Which was read.

Also,

Bill No. 1405:

Resolution authorizing the Mayor and the City Solicitor to enter into an agreement or agreements for the hiring of counsel and consultants to assist in the representation of the City of Pittsburgh for outside legal counsel and consultants at a cost not to exceed \$50,000 (Fifty Thousand Dollars), chargeable to and payable from Organization 108000, Account 526100, Sub Class 150, Fund 1000, Professional Services, Department of Law.

Which was read.

Also,

Bill No. 1379:

Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City

Treasurer Sale and Collection Act", effective December 11, 1984.

(a) 507 Lincoln Avenue, 12th Ward, Block 125B, Lot 84, being purchased by Nile Publicity Group, Inc. Two story frame house situated on a lot containing an area of 2,380 sq. ft., \$2,500.00. Intended Use: Rental Unit. (Council District 9).

(b) 34 Brahm Street, 24th Ward, Block 47N, Lot 103, being purchased by Thomas J. & Debra Krawczak. Vacant lot containing an area of 2,720 sq. ft., \$100.00. Intended Use: Additional yard space. (Council District 1).

(c) 425 Jay Street, 25th Ward, Block 23D, Lot 25, being purchased by Jack R. & Merilynn Sell. Vacant lot containing an area of 7,687 sq. ft., \$10,388.57. Intended Use: Additional yard space. (Council District 1).

(d) 143 Lecky Avenue, 27th Ward, Block 75M, Lot 337, being purchased by Stephen K. Grivnow. 2.5 sty. fra. Hse. Situated on a lot containing an area of 2,787 sq. ft., \$1,500.00. Intended Use: Personal Residence. (Council District 1).

Which was read.

Also,

Bill No. 1380:

Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(a) 512 Lockhart Street, 23rd Ward, Block 8D, Lot 164, being purchased by Stephen Mesich. Two story brick house situated on a lot containing, 2,229 sq. ft. Intended Use: Personal Residence. (Council District 1).

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Onorato:

First, Mr. President on 1402 this has to do with the auctioning of the seats. Or actually the selling of the seats and the auctioning of the other stadium items. Watching and reading and hearing all the different reports, I just want to clarify just exactly what the bill does say now.

I had someone criticize that this was only going to kids that live in the city that's not true. What the bill does it does two things. Council is authorizing the Solicitor and the Director of Finance to enter into an agreement with the Stadium Authority officials to one, have the auction and the selling of the seats. I don't think there has been any opposition to that part. It's a way to raise money.

Now the controversial issue where I see the miscommunications and misinformation has to do with part two and that is what do you do with the money that we raise? No one knows exactly how much we are going to raise, but what do you do with it? Through a lot of reviewing and discussion and compromising we put a section in here that

pretty much covers the possibilities. Because there are legitimate arguments that the money should be used to reduce anything that is associated with the demolition of the building since we are using taxpayers dollars. But at the same time we were told over and over again that the demolition and the debt on the stadium is covered under the Plan B proposal that was passed. Now if that is the case, then they don't need money to do that. However, we don't know that for sure and what exactly the numbers look like.

So what we did, we put in here two different proposals. That is, one, that we would agree that we put the money into a trust fund that is raised from the sale. The money could be used for deferring the cost that is associated with the development of these facilities, which could mean the reduction of the debt or the reduction of the demolition cost and money will be used for the youth activities for the region.

I specifically spelled out over and over again for the region meaning Western Pennsylvania, really Allegheny County, not just City of Pittsburgh. Because a lot of these regional parks and facilities we have the kids come into them and no checks where they are from and they really are open to everyone.

One of the suggestions where to put the money into a trust fund and use the interest to pay for staffing for opening the schools. And therefore as we talked earlier today that would not be creating a new program and just expanding the city, it would actually be using the interest money on the invested money so you would have an ongoing source of money to pay for the staffing. But we did mention whatever plan is approved for the

expenditures, Council would have the final approval process so we have some checks and balances put in here.

I would recommend that we go forward with the unanimous support we had last week for the auction. It is exciting, everyone is excited about it, even the critics over the use of the money have to admit that the auction is a good idea but they might dispute on how we spend the money. We can resolve that at a later date. We don't have the money yet and I am open for suggestions. I think there is a lot of good possibilities but the auction will be something for the region, it will allow the public to participate.

I today just received another letter certified mail from another company that wants to participate in the auction. That is up to about four companies now that has contacted my office. If we put this out for RFP's I am sure we are going to get some creative ways to have the auction.

I thought one interesting letter I received from a company they noticed and they dealt with this issue. The seats at the stadium right now if anyone noticed, they don't have the four legs to stand on, they are bolted into the side of the cement, therefore if you take them off they really can't stand on their own. This company prepared a stand for the seats to go on that currently are on display at the Stadium Authority in the Stadium Authority Offices. They put some of the seats on these steel stands.

The company would like to participate if we do the selling of the seats to be part of that. And they would prepare the mounting of the seats that you could put into your game room, family room, or

where ever you want to go, and they would be right there to put them on. I am sure there is a cost to it but at least the option of having them mounted freestanding is available. So I think this has taken up -- yeah a local company and actually all the companies that have contacted me are from the region which is interesting and they are excited about this.

I think putting out the RFP which this bill says, the bill directs that if we do this it goes out for an RFP bid, picking the most creative scenario. This can be a lot of fun and we have the luxury of time right now to put this together because the sale can't happen until the last game is played which would be the Steelers in the year 2000, so it would be late 2000 or early 2001. I think it's something that we should move on and something we can have a lot of fun with and I appreciate my colleagues support. Thank you.

Mr. Cohen:

Thank you. I want to commend Councilman Onorato for this legislation and one I just want to reiterate one point and that is I think that there is a possibility that this could be done in two phases. The first phase being an initial auction of the seats and other items at Three Rivers Stadium.

The second phase perhaps being a permanent store because in other cities there are stores where people -- where they sell sports memorabilia either for items not sold at the auction. I hope that everything in Three Rivers Stadium is sold on one day but if not, I think there are people out there who would like to buy the remaining sellable items and be able to market them on a permanent basis. Councilman

Onorato, I believe is receptive to this idea and the legislation is certainly consistent with that. But I think we should move forward with the possibility that there would be two phases of selling items from Three Rivers Stadium.

Mr. Udin:

Within the same committee but different bill.

The Chair:

I will just finish. I want to commend Mr. Onorato I think it is a fantastic idea. I have had my seats for almost 30 years. So in fact someone said you should have a nameplate on there so you get a couple extra dollars especially from the season tickets holders. I think it is a fantastic way to raise money. Especially I believe it should go to children and youth activities, whether it be city and county. But also I want to remind everyone that the players tax when it came out at least in this Council's initiative was to go to kids in the city. So we let a lot of that money at least 800,000 a year go to the bonds to write down the cost of the stadium and that includes demolition.

I believe Council has already spent and given more than I feel at first we should have. But I am willing to compromise and I know Mr. Ferlo compromised on the players tax that was initiated here that thought should go to the youth in the city. So I believe at least on the surface I certainly support your initiative, Mr. Onorato, and I believe somehow it should go to stay for youth activities whether it be city and county or joint ventures. I want to commend you on an outstanding effort. We have two years, by the end of two years you will probably

have a lot of great ideas.

Mr. Udin:

I did want to comment on 1379 and 1380, but they are properties that are in Councilman Onorato's District so I would defer earlier comments to him.

Mr. Onorato:

On these bills, if there is no other discussion on the stadium bills, now these two bills. Mr. President, as you can imagine this has been a source of major frustration for me and I know all of you. I am going to ask all of you to bear with me one more time because here is the strategy I want to follow. I don't mind doing this because our final action whenever it takes place now or seven days from now is a permanent action for a long time for a lot of people. I am still not convinced either way yet but there has been a lot of things raised again.

Here is what I would like to do. First, on Bill 1379 which is made up of several items A through D, I am going to make a motion and I am going to explain why I am making this motion to recommit C only. C only is the property that is located at 425 Jay Street. Now recommit for the specific purpose. Here is the purpose. One, this is being sold as a vacant lot to an adjacent property owner.

MR. UDIN seconded the motion.

Mr. Onorato:

Looking at this and talking with them, the adjacent landowner is not an owner occupied landowner, it is an absentee landlord who lives in Florida.

Which on the surface that's not a negative, however what I want to do tomorrow is I want the officials from the URA, it can be one official. I just want to hear that they lent money for one and what exactly was identified at the lending of that money of these ten to 12 properties that we heard today. Now I don't have any documents in front of me about the negotiations that went off lending that money. I don't mind seeing those tomorrow and giving this another seven day hold just to make sure that we weren't negotiating with a CDC on this side to do 12 properties and then it was sort of undermined not maliciously but undermined through another process of the public sector.

But I want to point out if we find out through this evidence review tomorrow that it wasn't identified and this property was not pointed out, if we have the highest bidder that is clean and does not have baggage, sometimes our hands might be tied on why we reject if we're going to reject. So I am recommitting and I am hoping to have that discussion tomorrow of the million six we heard that is committed to this 12 property location in Fineview to find out exactly what was presented to get this financing. If it was the understanding that this was part of that and we can do a 12 property deal, I think it's something this Council should seriously consider at that point. But I don't have that evidence in front of me, but I would like to see it. At least have the opportunity to ask somebody that lent the money. And that's on that particular bill so far.

The Chair:

I have just been told that is part of a total bill. If we could make a motion to introduce a new one on this piece of the Rule 8

we could discuss it tomorrow.

Mr. Onorato:

So you want a motion to delete and then make a motion to introduce this bill. Can I do both of those today? Then I will make a motion now to delete Item C of Bill 1379 and on the same motion introduce a bill to convey property which would only consist of this item and waive rule eight on that bill.

MR. UDIN seconded the motion.

Ms. McDonald:

Discussion on the bill on the deletion and reintroduction of a new bill. To Councilman Onorato you know I didn't really look at this closely, but I am now noticing that the purchase price was over \$10,000 for a vacant lot. How big is this lot? Is there a plan of some kind? Why is this being recommitted not recommitted but why is it being deleted? I have never seen a yard for \$10,000. Is there some construction that's going to be happening?

Mr. Onorato:

That is what I think we can find out tomorrow. I am prepared if this is all legitimate and this was not part of the previous development plan, I am prepared to continue to move this forward. I just want to review for seven days.

Ms. McDonald:

\$10,000 is just a lot of money. That's the discussion I would have.

Mr. Udin:

I would like to speak in support of the motion to recommit. Because I agree with Councilman Onorato what we the decision that we are making is an important precedent setting decision. So in addition to the specifics of this case, we are also setting the course for how we will proceed in similar future cases and it deserves our careful deliberation. So every time we reconsider this particular case, we learn new information and more information is coming out about the particulars in this case. We ought not be in a hurry. We ought to take our time and consider this very deliberately and I support Councilman Onorato's motion.

Mr. Onorato:

The other point on this motion, which I am finding out now that this is a landlord that wants the adjacent property which the property that is adjacent is a two unit property and the owner lives in Florida. My concern, if I understand zoning right that when it is zoned residential you cannot park except when you have an accessory lot to an existing residential, one of the exceptions is parking. This might be being sold for parking to an apartment in the middle of a residential neighborhood. If that's the case, I want to know that. I want to -- I think that's a legitimate discussion to have at this point if we are turning this into parking. I don't know. I am just trying to find out.

Ms. McDonald:

Because you answered my question, I was side barring with Councilman Hertzberg and he had explained that it maybe a nice view I said but Alan it's for yard space. You know it's, I mean I don't spend \$10,000 to plant

flowers. In certain neighborhoods there is going to be a need for yard space. In my community there is a definite need because of the congestion. There is a shortage of green space and people do want to do some type of green space there and they will buy it for real, it will be a yard. It will be a yard with grass and everything. But this particular item just I would like to have a definite explanation is there a need for yard space at 10,000?

Mr. Cohen:

I am happy to refer to Councilman Onorato if it is on the same issue. I wanted to make be a point on the entire issue. So why don't I defer to Councilman Onorato until he is done.

Mr. Onorato:

One other motion, which is really the same issue, the bigger issue. Bill 1380 now this is another one that's been extremely tough for all of us here. Because the city put it up for bid and we have a highest bidder here, which I believe we should be doing. However, it is the same situation where I again every week we find more information. As one Council member if it can be proven and I am not sure it can be, but I mean if it can be but I am not sure what the answer is. If I have a buyer in this city that truly does owe taxes on properties in this city, I would vote no, no matter who it is.

However this one is so confusing because of the timing of the purchase of the properties that are in question and we're hearing different years and different amounts every time we discuss this. I would like to get this clarified tomorrow. This will not -- for how long this

gentleman had to wait, to recommit and hold this and resolve this issue tomorrow. I don't think is being unreasonable at this point of time especially if what we're hearing today is true that there has been a dragging of the feet for the recent taxes of '98 and '99.

However I want to point out we're recommitting we are not rejecting. Because I am still not sure how I will vote on this until I get the information to the questions I am asking tomorrow. You have bidders that participated in a process that the city put in place. They were determined to be the highest bidder on that particular process. Now it is up to this Council to step back a second and say okay that is fine we're ready to vote, as long as there are no other circumstances that that this will actually be a detriment to the city slash neighborhoods if its goes this way versus another. I don't know the answer to that question, but I think it can be resolved tomorrow if the people are at the table. That is, tomorrow we need real estate at the table just to answer the questions of the other two properties this gentleman owns in the city, bought in the last year. What exactly is owed to the City of Pittsburgh at this particular time?

If we can determine that tomorrow which we better be able to, because we just spent how much on Peoplesoft. We would like to know what that number is and if the gentleman walks in tomorrow with the check and pays off all his taxes, I think it would be very difficult to reject this if he's clean. But I am being told that there is a building code, a possible building code violation that was just here Friday, because the inspector can't get on the property, well I don't like operating innuendoes. I like to know the facts.

Tomorrow I want someone here from BBI just to tell me is there or is there not a building code violation on these properties that are not being addressed? And if that's not true and the inspector can get in and the properties are being approved, then that is fine and I am ready to vote yes to this individual. But my concern right now is that every single day I get new information. So I am making a motion to recommit for the purposes of answering those two questions.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

I would like, I believe you touched on both the basic ones, the BBI, the tax and also if this gentleman has other violations from other community groups we should have that in writing. It is really unfair whether the facts are right or wrong to say two minutes before a vote that they're innuendoes. You may be right, you maybe wrong, I would certainly ask Mr. Ayoob the attorney in the next couple days to have the facts. Whether I heard he owes '97 taxes, '98 taxes, I think it would be fair to everybody before we just stand there and say it, I would like your attorney to verify it.

I believe with the city you have one week before final vote, actually a little more than a week, until the following Tuesday, so you have almost 9 days. I think it would be fair to everyone to have the facts on this person, especially other agreements that he may have broken, taxes, BBI inspections, if we can't have -- we should have that within a week so that we all are not voting blindly on this issue.

Mr. Onorato:

I want to point out too for all the parties involved here, my intention is not to hold tomorrow after we have those questions answered, I think we should either vote to approve or vote to delete. One or the other tomorrow after we answer those questions. And because it is only fair to both sides of this issue too by the way. We have got to resolve this tomorrow and final vote Tuesday.

Mr. Cohen:

Thank you, Mr. President. I support what Councilman Onorato is doing. He's been put in a very difficult position as have all the neighbors been put into a difficult position. I think frankly we have been put into a difficult position by the URA and by the staff people in the Finance Department. Because this body, City Council of the City of Pittsburgh is not a judicial body.

I think it's time to step back and recognize what we are able to do and not able to do. We are a legislative body that at times has a quasi-judicial role. Those times are rare. They are times in a conditional use situation maybe a couple of other very rare situations do we act in a quasi-judicial role. We're not a judicial body. And we are acting in many ways like a judicial body in this case.

The reason we are is because we were being put in the attainable position of having to make a decision between two purchasers one of whom clearly will be better for the neighborhood than the other. But the Solicitor for City of Pittsburgh made quite clear last Wednesday that if we

are going to reject a property we have to have clear articulable reasons for doing that.

The attorney who spoke here earlier said we have the ability to reject a bid. I think that's true but we need to make a record of it and we need to have articulable reasons for it. I would like for us to be able to get to our legislative role through this process, I think we can. I think what Councilman Onorato will allow us to get to the legislative function and that is for us to pass legislation that makes it clear that we have these reasons for which you can reject a bid, reasons that are beneficial to the neighborhood. Reasons like back taxes, reasons like building code violations. And be able to never have to go through this again. This is not right.

We have been put in this position by the staff of the URA and I believe of the administration. We should not be put into this position; Council does not act like a court. We are not a court and I resent it frankly. So if we can for however long it takes get through this process to be able to have consistent rules, rules that will be applied fairly and consistently across the board and be able to do it in a fair and reasonable way then that's fine. We don't have that now. What I see happening in the North Side here with several properties, I think it just happens to be the three properties having the same problem come up at the same time, in the same general region of the city. Well let's not fool ourselves, we're going to have many more of these unless we are able to come up with clear guidelines. So I hope through this process we'll be able to get a lemon out of lemonade and be able to get some clear guidelines for the future. Other wise I am not going to support this

process.

The Chair:

I am going to give you one last suggestion. The city must own and URA over 10,000 pieces of property. I am still surprised that some deal couldn't have been made in exchange for this property right or wrong how the process is going. Why we couldn't make a trade with this person whether it be Polish Hill, Greenfield where ever, South Side that there might be something that you both can live with. You can get your property and he maybe able to get something even better. Again, you have ten days to try to figure this out.

Mr. Ricciardi:

That's a good point, Mr. President, regarding mediation. You know instead of just throwing this into the court system. I would not have thought that out, I would be willing to work with the individual in District Three.

The Chair:

Again, I think all Council members would like to assist Councilman Onorato. He's done an outstanding job so far trying to mediate this. That maybe to me the most common sense simplest answer if the person -- if we're both using a little common sense on both sides maybe we can prevail maybe one isn't. That remains to be seen.

The bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were.

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. O'Connor

(Pres't)

(Mr. Ricciardi abstained to Bill 1402)

Bills have received the legally required number of votes and have passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 1461:

Report of the Committee on Public Works, Water and Environmental Services, for March 24, 1999, transmitting one resolution to Council.

Bill No. 1420:

Resolution Adopting Official Sewage Facilities Plan revision for Steelers Stadium Development located at the southeast corner of the intersection of Allegheny Avenue. & Reedsdale Street, in the 22nd Ward of the City of Pittsburgh; and described in the attached planning modules for land development and proposes that such project be served by Pittsburgh sewage systems. —
(PRESENTED BY MR. HERTZBERG & MR. RICCIARDI)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills? Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
	Mr. O'Connor

(Pres't)

AYES Seven NOES None

Bills have received the legally required number of votes and have passed finally.

MR. ONORATO PRESENTED:

Bill No. 1462

Report of the Committee on Planning, Zoning and Land Use for March 24, 1999, transmitting two ordinances to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1206:

An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 7 by changing from "C6-C" Downtown Riverfront District

Area C to "C6-B" Downtown Riverfront District Area B certain property having frontage on the westerly side of Federal Street between South Commons and the Allegheny River, 22nd Ward, Council District No. 6. (HEARING HELD MARCH 18, 1999).

Which was read.

Also,

Bill No. 1207:

An Ordinance amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, Article IV by controlling the development of public sports facilities for major league franchises and by revising the site development standards for urban open space and structure height in "DR-B" Downtown Riverfront District, Sub-District B. (HEARING HELD MARCH 18, 1999).

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills? Bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen Mr. Diven
Mr. Hertzberg Ms. McDonald

Mr. Onorato Mr. Ricciardi
 Mr. O'Connor
 (Pres't)

AYES Seven NOES None

Bills have received the legally required number of votes and have passed finally.

MS. MCDONALD PRESENTED:

Bill No. 1463:

Report of the Committee on Housing, Economic Development and Promotion for March 24, 1999, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill Number 1394:

Resolution further amending Resolution No. 781 of 1998 entitled, "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program: and approving the 1999 through 2004 Capital Improvement Program" by adding \$76,332.00 to various line items. —
(SPONSORED BY ALL COUNCILMEMBERS)

Which was read.

Also,

Bill No. 1396:

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the

Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program (RACP) in the amount of \$75,000,000 for the Pittsburgh Steelers Football Stadium Project. (Council District No. 6) (PRESENTED BY MS. MCDONALD & MR. HERTZBERG).

Which was read.

Also,

Bill No. 1397:

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program (RACP) in an amount up to \$75,000,000 for the PNC Park Baseball Stadium for the Pittsburgh Pirates. (Council District No. 6). (PRESENTED BY MS. MCDONALD & MR. HERTZBERG).

Which was read.

Also,

Bill No. 1398:

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to expend \$300,000 from the Industrial Land Reserve Fund for the environmental remediation of the former Kerotest facility (Council District No. 6). (PRESENTED BY MS. MCDONALD & MR. HERTZBERG).

Which was read.

Also,

Bill No. 1399:

Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to URA of \$4,500,000 for Neighborhood Infrastructure Support including the New Pennley Place development, Home Depot and Nine Mile Run. (Council Districts: All). (PRESENTED BY MS. MCDONALD & MR. HERTZBERG).

Which was read.

Also,

Bill No. 1400:

Resolution authorizing the transfer to Urban Redevelopment Authority of Pittsburgh of certain property located in the 14th Ward designated as Block 128P, Lot. 7 as part of the Nine Mile Run development. (Council District No. 5). (PRESENTED BY MS. MCDONALD & MR. HERTZBERG).

Which was read.

Also,

Bill No. 1401:

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to Acquire all of the City's right, title and interest, if any, in and to the following Publicly-owned Property designated as Block 11-K, Lot 19, in the 1st Ward of the City of Pittsburgh—Rental Housing Development Improvement Program. The redeveloper intends to use the subject property as a parking lot and greenspace

for a transitional housing facility to be constructed on adjacent property. (Council District No. 6). (PRESENTED BY MS. MCDONALD & MR. HERTZBERG).

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Ms. McDonald:

Mr. President, I would like to make a motion to amend Bill 1398 to increase the amount of the Industrial Land Reserve Fund allocation from \$50,000 to \$200,000 for the care test building.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

Bill Number 1394, which is the amendment to the Community Development Block Grant Program for this year. I have an amendment that's been circulated that will designate three organizations in Council District Two for the Council District Two allocation and the amendment is so moved.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Bills are now ready for final action.

All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. O'Connor
	(Pres't)

(Mr. Ricciardi voted no on Bill 1396 and 1397)

Bills have received the legally required number of votes and have passed finally.

The Chair:

Under motions and resolutions.

MOTIONS AND RESOLUTIONS

Mr. Hertzberg:

Thank you, Mr. President. If you watched the local news or read the local newspapers you are probably familiar with an incident in Council District Two at a tavern called Cliff Hangers Saloon which is a located within walking distance of my home. What happened was that early last Tuesday morning, in fact at about 1:30 in the morning, a couple of young men decided that they were going to rob this tavern. They brought with them a sawed off shotgun and what they didn't realize is that at 1:30 in the morning there were quite a few people in this establishment. And when they attempted to rob the place,

some of the patrons were able to take control of the situation.

In fact the two robbers got beat up and held until the police could arrive. And there was an article in this morning's Post Gazette that mentioned armed robbery wise this year city wide we have had twice as many in 1999 as we had in 1998 at this point in time. I know in Council District Number Two we feel like we may be responsible for that increase.

I know that we have had at least ten armed robberies in Council District Two. But I would ask people to try to remain calm. I think everything is being done that can be done about these robberies. In fact, I think at least half of them we already have arrests on and it's been through the efforts of the police. The police have been working very hard both our local zone four police as well the Investigations Division have been working very hard. They have been working very hard with the residents and with the businesses and everyone has been collaborating together. We have been apprehending most of the people that have been involved in these different armed robberies.

In fact our local police what they have done is they set up the Elliott neighborhood where we probably had four of these armed robberies recently. They have made it what they call a floating target area. The commander has also dispatched two undercover police and two uniform police every day from three to eleven to try to apprehend those that are involved and to try to enforce the laws in this neighborhood.

We have also got an excellent COP

officer on duty in this neighborhood and the residents have done a heck of a lot to try to work through this situation. In fact, we had a member from your Squirrel Hill Citizens Patrol come to one of the meetings of the Elliott West End Citizens Council and I want to thank the Squirrel Hill group for helping us set up a Citizens Patrol. Now that is also in effect in Elliott and the people are committed to making sure that the criminals don't get the upper hand in their community and that it stays as the good community it has been in the past.

I just have to caution I mean what happened at this Cliff Hangers Saloon, although the good guys won that's for sure, it's not something that should be encouraged at all. It was a very dangerous situation. In fact the gun went off, no one was hit. I know in Hazelwood there was a terrible tragedy in a situation like that. So you know I commend the citizens that were brave and they really risked their lives to do something about this, but on the other hand it is not something that should be encouraged. I think the police will tell you that in the case of an armed robbery the best thing to do is to just cooperate.

We can see that in the cases where they have had armed robberies and we haven't had aggressive conduct by the victims, we have also been getting a lot of arrests. So I would encourage people and of course we hope we may have arrested all the people that did all these robberies and there may not be any in the future. At least not at the rate we have in the past. But I would encourage the people involved to just be observant but don't be aggressive. You need to cooperate when someone has a gun.

I would remind everyone in Council District Two that a couple years ago we thought we had a large crime spree on our hands. We had I think 150 incidents of vandalism, around the area where windshields and other parts of cars were being vandalized on a nightly basis over a month in time. We found out who the individuals were that were involved again through cooperation between residents and police, caught the two people that was the end of it.

So I would ask the residents of Council District Two and throughout the city to hang in there, do the right thing, keep working with the police and I think we can resolve this problem.

The Chair:

I was concerned I just mentioned to Mr. Diven, in my districts alone you referred to the shooting in Hazelwood, we have had two in Hazelwood, four armed robberies in Greenfield and four in Squirrel Hill just in the last two, three weeks. Again, I don't know if it is whose been caught, who hasn't been caught. In fact the ones I have investigated, it seemed like different people, one is a man dressed as a woman, they're really getting to be a problem.

I was on patrol actually the night you had your maiden voyage in West End, the Citizen Patrol. I see a big difference but we are only out there from like seven, eight to 11. Most of the armed robberies that were in my three neighborhoods were in the daytime. So I found out that most of the neighborhood businesses don't know as much about telling each other about a robbery, calling 911 not saying they wouldn't do it on an emergency, but letting

everyone else know. The COP's in some cases we don't know if we have them or we do know so I am again could be critical about the COP.

I know the police have done a good job. The record is showing they are catching a lot of these people but somehow there is a rash of it again. I think we all have to keep working together. With the police we may want to use our -- I remember when we had the neighborhood block watches in residential neighborhoods, it seemed to be spreading all over the city and I don't know that all the business districts are as in tuned to this. I know in my three, four businesses, they're getting it, real fast, unfortunately the hard way.

So I would urge the Public Safety people, the Chief to really start getting these COP's in the community and helping them spread the word on what to watch out for and some of the do's and don'ts. Because it's getting to be alarming, and so far the one incident in Hazelwood, but no one else has been hurt. But if our armed robberies have doubled, then something is wrong out there. Again, some of it is bordering even some county not just in the city. I noticed in the one part of Greenfield there, they seem to run toward the cemetery and maybe to some of the suburbs. So, it is not only in the city. They seem to border there. I think we do need a lot of work to be done and working together is the only way to solve it.

Again, I want to compliment your people in West End for what they did to the burglars, I hope they didn't hurt little Johnny and Billy or whoever they were didn't rough them up too much.

Mr. Hertzberg:

They did get hurt. If you want to go into a tavern with a shotgun and stick the place up then.

The Chair:

They got what they deserved.

Mr. Hertzberg:

That is going to happen. Somebody may get hurt.

The Chair:

They caught both of them?

Mr. Hertzberg:

Yea.

The Chair:

They will be going to trial or hearing.

I understand next Monday your painter will be in front of court?

Mr. Ricciardi:

April 7th. Thank you for bringing that up, Mr. O'Connor. As you know we have had a rash of graffiti throughout the City of Pittsburgh, but especially in the Bates Street Corridor. We are asking residents and community groups and others and I'll be there April 7 because we're asking the magistrate to make sure that he or she realizes the gravity, the weight of vandalism and destruction of public and private property.

I think if the Magistrate, if the

evidence is there and the magistrate finds guilt, we're asking for public humiliation. We are asking for restitution of the public and private property, we are asking for community service and to be perfectly frank with you, we're asking for jail time in the county jail. They will send the right message out too and these aren't kids, young people, these are adults. Send a good message out. Thank you for bringing that up, Mr. President.

The Chair:

We hope the community services is cleaning up what they did, not just --

Mr. Ricciardi:

That's what we are asking for.

The Chair:

Thank you. Hopefully we can all come down and support you on that initiative.

Council's Standing Committee Meeting will be held tomorrow at ten a.m. If you don't realize we're a day ahead because of the Passover and Easter holidays. I certainly want to wish everybody a Happy Passover and Happy Easter, very Holy Week this week.

We also have two other meetings, cablecast Post Agenda Tuesday, March 30, at two p.m. to discuss the Empowerment Zone; Wednesday March 31st, discussing NBE/WBE financial opportunities at 10:00 a.m.

With that, I would like a motion to excuse the absent member.

MR. HERTZBERG moved to excuse the absent member.

MS. MCDONALD seconded the motion.

Which motion prevailed.

MR. HERTZBERG moved to adjourn the meeting.

MS. MCDONALD seconded the motion.

And on the motion made by Mr. Hertzberg, the meeting adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXIII

April 6, 1999

No. 14

Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, April 6, 1998

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Ms. McDonald	Mr. O'Connor
	(Pres't)

ABSENT:

Mr. Hertzberg

The Chair:

Will you all please rise for the pledge of allegiance and please remain standing for a moment of silence for peace and hope throughout the world.

With us today we have an honored guest, Maurice Reynolds from the McKelvey Elementary School; he is in the fourth grade. He is accompanied by his

mother, Debra, and he lives in Councilman Udin's District, District 6.

Maurice, you want to lead us.

Maurice Reynolds:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you, Maurice. McKelvey is a very nice school. I visited it last summer. We have something for you.

PRESENTATIONS

Mr. Ferlo:

Mr. President and members of Council, I would like the delegation from South Hills Health System to come forward please at this time. We are very honored to have the President here this morning of South Hills Health System, Mr. Bill Jennings, and a very distinguished delegation of his co-workers and administrators.

I will introduce the rest of the delegation very shortly.

MR. FERLO PRESENTED:

No. 1465 WHEREAS, Cathy Frasca is the Vice President of the South

Hills Health System Home Health Services, a position she has held for over thirty years and is nationally and internationally renowned for her leadership, experience, insights, and ingenuity in the field of home health care; and

WHEREAS, Cathy Frasca has, in her illustrious career, been appointed to the National AARC Blue Ribbon Recognition Panel, the International EISAI Home Health Care Advisory Council, chairperson of the AHA Governing Council, the HCFA Home Care Advisory Committee, elected as Vice Chairman of the NAHC Board of Directors, chairperson for the Appropriateness Review Committee responsible for developing home care guidelines for the Commonwealth of Pennsylvania, and elected to the board of the American College of Health Care Administrators; and

WHEREAS, Mrs. Frasca also serves on the boards of and holds leadership positions in local and national organizations such as Vintage, Inc, where she serves as Vice President, Robert Morris Health Services Management Advisory Committee, LaRoche College Human Services Advisory Board, the California University Department of Nursing Advisory Council, the Kane Foundation Board, and immediate past Chair of the Hospital Association of Pennsylvania's Home Care Governing Council and the Hospital Council of Western Pennsylvania's Government Relations Committee; and

WHEREAS, Cathy Frasca is the recipient of many prestigious awards and commendations and has received

recognition as a finalist in both the 1997 Pittsburgh Business Times' Health Care Heroes Lifetime Achievement Award and with the Health and Home Service's Woman of the Year Award by the YWCA of Greater Pittsburgh in 1992, as well as being named by the National Foundation for Hospice and Home Care as one of the first fellows, being awarded by the National Association for Home Health Care as the Administrator of the Year in 1992, and the Member of the Year in 1995, and presented with the Edward Brody Award by the American College of Health Care Administrators in 1995; and

WHEREAS, Cathy Frasca will be stepping down from her position as Vice President of the South Hills Health System Home Health Service after an outstanding and illustrious career and will be recognized at a retirement banquet Friday at the Sheraton Station Square; now

BE IT RESOLVED, by the Council of the City of Pittsburgh, that we congratulate Cathy Frasca for her service to the community at-large, and the medical community in particular and wish her well in all of her professional and personal endeavors; and

BE IT FURTHER RESOLVED, that Friday, April 9, 1999 is recognized as "Cathy Frasca Day" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Besides all that full time professional work, she happens to be a great grandmother and mother, a wife and a wonderful person. I can't imagine how she manages to do all the things that she does each and every day not only professionally but with her tremendous family that she has helped to build over a life time.

We have a number of co-workers that are here also to join with Mrs. Frasca and her great day of honor here. We are looking forward to the Friday night banquet at Station Square. We are very honored that we have Bill Jennings here as the President of the South Hills Health System and we have a number of co-workers. We have Dick Woodruff, Gary Retone, Linda Morningstar, JoAnn Farzick, Susan Navish, Nancy Large, Mary Ellen Jubeck, Janet Rice, Chris Heasley. I apologize if I said any of those names wrong. In fact I have an ear infection and I can only hear out of half of my head, I feel like a rock star trying to understand what the reverberation is because I can't hear. So I need an immediate home health care myself.

It is a great honor to have Mrs. Frasca here today, not only as a friend. I have the pleasure of being a friend of the family but Mrs. Frasca has had an outstanding professional career and actually has pioneered a whole new area of important health care and certainly representing our constituents and Pittsburgh and our region being so unique in terms of the long percentage of older residents the tremendous importance and pivotal role that home health care plays in our aging society. And a lot of us are

getting there quicker than maybe some of us want to be there.

So, it is important that we pay tribute and take just a moment out to recognize her life's contribution professionally as well she is a tremendous lady personally and has a wonderful family. We are honored that the President of South Hills Health System is here and Mrs. Frasca here in chambers. But before I call on her to say a few words, and we look forward to being part of the dinner Friday night, we would like Mr. Jennings to come up and maybe say a few words and maybe one of the co-workers would like to say something also.

Mr. Jennings:

We are certainly honored to have Cathy receive this award today. She has done an outstanding job throughout her career. It has been an honor to have her as an employee of the South Hills Health System and she really has put home care on the map for us.

So our full congratulations to Cathy, all the home care people and we will talk more about that on Friday evening.

Mrs. Frasca:

Thank you. I am overwhelmed. I thought this was going to be a proclamation for the agency. It is the agency and all of the staff that have made our agency recognized worldwide. I just happened to be in the right place at the right time working for the right organization and having a great staff.

This has given me the opportunity to travel abroad and other people wanted to know what we were doing here in Pittsburgh. Our agency we made the cover of the Nike (phonetic) News in Japan and many countries I have had the opportunity to speak there and across the United States.

Of course they all wanted to find out what the magic is that made our program so unique that it is one of the largest hospital based home health agencies of its kind in the nation. And what makes it unique is you can't lose when you have the very best staff working for the best organization and the best support that you can get. So I am overwhelmed and I am very rarely at a loss for words, but I am. Thank you very much.

The Chair:

Would Jay Pochapin from St. Barnabas please come up? Thank you for coming over, Jay. He is the Media Relations Manager for St. Barnabas and it is a very exciting week and I know especially today is your big dinner and I will let you talk a little bit about it. St. Barnabas has really been a part of the Pittsburgh community for over 80 years. I am very honored to read this proclamation.

MR. O'CONNOR AND ALL MEMBERS PRESENT:

No. 1466 WHEREAS, St. Barnabas Health System, founded in 1900, has offered relief and hope to indigent and homeless men and boys and, ultimately, all persons, without regard to race, creed, color, sex or ability to pay; and,

WHEREAS, St. Barnabas Health System traces its roots back to a humble mission house along Downtown Pittsburgh's Third Avenue, then moving to Sydney Street on the city's South Side, then Carrick, followed by McKeesport before arriving at the site of its present-day campus in Gibsonia, Pennsylvania; and

WHEREAS, the tradition of service, community outreach, charity and compassion established by its Brother Founder, Gouverneur Provoost Hance, remains at the forefront of its policy to this very day, exemplified by the Presents for Patients campaign, the Gouverneur P. Hance Humanitarian Award, the Pennies for Patients campaign, the St. Barnabas Charitable Golf Open, the St. Barnabas Medical Center 5-K Fun Run, the St. Barnabas Round Ball Classic and the St. Barnabas Leadership Conference; and,

WHEREAS, St. Barnabas Nursing Home has repeatedly brought Pittsburgh and Southwestern Pennsylvania to the attention of the entire world in a most positive light, demonstrating older adults still have valuable qualities to share with the larger community, all the while providing employment to thousands of residents and free care to thousands of neighbors, all without direct government funding, over the past 80 years.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend St. Barnabas Nursing Home, its officers, staff, residents and patients and congratulates St. Barnabas on its 80th Anniversary; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh

does hereby declare April 6, 1999, as "St. Barnabas Day" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Pochapin:

I have some very brief remarks. Of course I want to begin by thanking you for honoring St. Barnabas Nursing Home as we approach the 80th year of our establishment in Richland Township.

Things have very much changed since what was then St. Barnabas Free Home began operating in Richland in the year 1919.

Just four years after the completion of the building still in use along Meridian Road, when all the land in every direction as far as the eye could see was farmland, a ride on the Butler Shortline Trolley took patrons from Gibsonia to Etna for a fare of 32 cents – a nickel more if you wanted to go all the way into the city. Of course if the trolley cut across your property, the Shortline granted you a lifetime pass and you got to ride for free. Since one of the stops was at St. Barnabas, we can safely imagine the monastic brothers of St. Barnabas brotherhood (complete with cowls and cassocks) were probably roaring twenties strap-hangers when they had occasion to visit the city on Free Home Business, or when they had occasion to transport new patients to what was their then very remote location.

Almost 50 years ago, at the 50th Anniversary celebration, Brother Founder Gouverneur P. Hance opened the original mission house along Third Avenue, near Smithfield Street, a few hundred yards outside this building, in the year 1900, St. Barnabas 50 years ago was home to over 150 men and boys.

Today, all the different facilities that comprise St. Barnabas on average house and care for over 350 individuals of almost every age and background. Our Charitable Foundation provides over 4-million dollars worth of free care annually. With over 500 full and part-time employees, today's St. Barnabas community plays a vital role in the lives of at least 1,000 people, and an indirect role in the lives of hundreds more.

This evening, when St. Barnabas Charitable Foundation holds its Founder's Day fundraising celebration at the Westin William Penn Hotel, with a reception, dinner and address by former Federal Education Secretary William J. Bennett, we will remember with gratitude the honor and respect accorded our organization here today by Pittsburgh City Council.

On behalf of our President, William V. Day, and everyone at St. Barnabas, thank you.

The Chair:

I believe you have over 500 attending tonight's dinner?

Mr. Pochapin:

Over 500 attending. Should I give a telephone number?

The Chair:

If you still want to go to hear Mr. Bennett.

Mr. Pochapin:

If you want to hear Mr. Bennett, you can make a reservation at 724-625-4000 extension 317. We will be happy to send out for an extra pizza or something.

The Chair:

Mr. Robert Murdock. We are honored to have Mr. Robert Murdock who is the National Chairman of Tartan Day. In memory of the Scottish Parliament anniversary. This is quite an honor to have you here and I understand this is the first anniversary.

Mr. Murdock:

Yes, sir.

The Chair:

I will let you explain and tell us more about it.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 1467 WHEREAS, on April 6, 1320, the Scottish Parliament asserted its declaration of independence, known as the Declaration of Arbroath; and,

WHEREAS, throughout our society, the contributions of Scottish Americans are varied and plentiful, and hundreds of thousands of Scottish Americans are proud to call Pittsburgh home; and

WHEREAS, in the Pittsburgh area, there are numerous Scots and Americans of Scottish decent; and,

WHEREAS, the St. Andrews Society of Pittsburgh, formed in 1991, helps to continue Scottish traditions.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the countless contributions of Scottish Americans; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare April 6, 1999, as "Tartan Day" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

Mr. Murdock is the Chairman of the Tartan Day and I think this is our first anniversary.

Mr. Murdock:

Yes, sir. Thank you very much. Thank you. It is a pleasure to be here on behalf of the St. Andrews Society and the Scottish Coalition which really has been the moving party as far as Tartan Day.

Tartan Day goes back as President O'Connor indicated to Arbroath, which was a town in Scotland. And on April 6, 1320, sent a letter to the Pope who was

then head of England, declaring us independence. Since that time, Scotland has been moving for independence.

The Scottish Coalition is made up of six national organizations and they formed together to form the Scottish Coalition with the idea of strengthening the Scottish ties among individuals and groups both here in the United States and also internationally.

The St. Andrews Society of Pittsburgh, which is having an event tonight has taken over and has been the prime mover in this area and that built up the Scottish traditions. Pittsburgh, Western Pennsylvania is very strong in Scottish traditions and it is a pleasure to be here to represent the Scots of Western Pennsylvania and the United States. Again, I thank City Council President O'Connor for this proclamation. Thank you very much.

The Chair:

I believe there are two to be read into the record.

MR. HERTZBERG AND MR. ONORATO PRESENT:

No. 1468 WHEREAS, On April 9, 1999, Professor W. Edward Sell will celebrate 50 years of teaching at the University of Pittsburgh School of Law; and

WHEREAS, Professor Sell is presently Dean Emeritus and Distinguished Service Professor of Law Emeritus at the University of Pittsburgh School of Law; and

WHEREAS, Professor Sell received a Bachelor of Arts Degree from Washington & Jefferson College Magna cum laude, with Honors in Economics, and a Juris Doctor Degree from Yale Law School; he also holds Honorary Degrees from Dickinson School of Law (LL.D, 1968) and Washington & Jefferson College (L.H.D., 1973); and

WHEREAS, Professor Sell is listed in Who's Who in America, Directory of American Scholars, Who's Who in American Education, Who's Who in American Finance and the Directory of International Biography; and

WHEREAS, Professor Sell's teaching areas include Accounting for Lawyers, Agency and Partnership, Corporate Finance, Corporations, Law Office Management, Secured Transactions and Structured Transactions; and

WHEREAS, Professor Sell received the Excellence in Teaching Award in 1986 and the President's Distinguished Teaching Award in 1990; and

WHEREAS, Professor Sell has written many published books on the law and articles published in law reviews; and

WHEREAS, Professor Sell has devoted many hours to Community Activities as a Board Member and President of various Foundations and Service Organizations.

NOW, THEREFORE, BE IT RESOLVED, That the Council of the City of Pittsburgh wishes to Congratulate Professor W. Edward Sell, on an

Illustrious Career as Professor of Law at the University of Pittsburgh School of Law

BE IT FURTHER RESOLVED, that Friday, April 9, 1999, is proclaimed Professor W. Edward Sell Day in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

MS. MCDONALD PRESENTS:

No. 1469 WHEREAS, the Eleventh Annual 1999 Minority Attorney Conference will be held April 8 and April 9, 1999 at the Pittsburgh, Hilton Hotel; and

WHEREAS, 1987 Pennsylvania Bar Association President, Joseph H. Jones, Mike Reed, who later served as Zone 1 Governor, and several minority attorneys met formally to discuss how PBA might reach out to Pennsylvania's minority attorneys. President Jones thereafter appointed an ad hoc committee, co-chaired by Mike Reed and current PBA President-elect, Leslie Miller, to study the matter and make recommendations; and

WHEREAS, In the ensuing years, the Minority Bar Committee has presented the Minority Attorney Conference annually in either Philadelphia, Hershey, or Pittsburgh sometimes in conjunction with the PBA Annual Meetings and sometimes separately. Each day long Conference includes several educational presentations, an awards luncheon and a closing reception; and

WHEREAS, this year the recipient of the Chairman's Award will be the Honorable Doris Smith. Under current Chairperson, Carl G. Cooper and with the dedicated support of Louann Bell, PBA staffer, this year the Minority Attorney Conference will again host one of the largest groups of Minority Attorneys in Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends the Pennsylvania Bar Association-Minority Attorneys Conference for having the insight to educate and share the knowledge.

Also,

No. 1470 WHEREAS, on Thursday, April 8, 1999, the Pennsylvania Commonwealth Libraries, Task Force on Library Service to Older Adults will present the 1st Annual Marietta Y. King Diversity Award to the Homewood Branch of Carnegie Library of Pittsburgh; and

WHEREAS, The Marietta Y. King Diversity Award honors the life and accomplishments of the late Marietta Y. King, an African-American Social Worker, who served several years as a charter member of the Library Development Office, Commonwealth Libraries' Task Force on Library Service to Older Adults. Ms. King was born in Pittsburgh and spent much of her life here; and

WHEREAS, the Homewood Branch Library, over its eighty-nine years of service has developed creative programs

to serve a diverse population of older library users.

NOW, THEREFORE BE IT RESOLVED, that the City of Pittsburgh recognizes and commends the Homewood Branch of Carnegie Libraries for its significant contribution to the delivery of library information services to minority older adults in its service area.

MR. ONORATO moved to adopt the resolutions.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

We will now if anyone in the audience wishes to address Council for three minutes. Please do it at this time. Please give your name and address.

PUBLIC COMMENT

Ms. Brown:

My name is Yvonne S. Brown and I live at 2633 Brackenridge Street. Recently I returned from Washington DC where I among 25,000 people participated in the nationwide march on Washington against the police brutality and the ethnic cleansing we believe that some police are initiating when they intimidate, harass and stop motorists because they are black. Some people are saying that it is a way of harassing the black motorists.

I was surprised that over 1,200 people had been arrested. I heard Mrs. Gammage and other family members speak against what has happened to some of the families, some of their family

members. The killings, the harassment, the beating.

I came today because I saw where Smokey Heinz had sent a letter to the President of the United States. I have also sent a letter to him requesting that he come to Pittsburgh. I know that the President may not come, but we are asking that a federal investigation be initiated and that a committee, a special committee, be set up in order that we the people may explain it and may explain about some of the harassing and (inaudible) tactics that the City of Pittsburgh Police have. Also the Housing Authority Police are doing harassing, murdering, killing and an out and out warfare against our young men and women of color.

I don't know whether any of you realize that any of our young men between the ages of 16 to 24 are an endangered species. We are asking that if the President does come or send a committee that we be able to speak about the harassment tactics that are being used. Many of you may not know that we have people that can be standing at the bus stop waiting for the bus to come to work and the police may tell them to move, if you don't move you will be arrested. My young daughter as I told you went to the police to ask them to please help her when she stood there with one shoe on and no coat and said I ain't taken no body no where.

I speak against the police because I live in the community and I see what is happening. I have many times said questioned or am I saying that all the police are bad. I am not worried about a good or bad cop. Many times I am questioning when they see my button

about Johnny Gammage or any of the other buttons I might wear if I am saying that all police are bad. No, I am not. We aren't saying that all police are bad. I am not worried about whether the police is a bad cop or good cop, what we are saying we need fair cops that will treat everyone equal in an upwards police department can make the judgment whether they are good or bad. Thank you very much.

The Chair:

Thank you. We will now move to presentation of papers.

PRESENTATION OF PAPERS

MR. COHEN PRESENTED:

No. 1471 Resolution providing for a contract or contracts, or use of existing contracts or agreements for the purchase of an Alpha Numeric Message Generator and related equipment at a cost not to exceed Thirty Seven Thousand Dollars (\$37,000.00), chargeable to and payable from Organization 124000, Account 543000, Fund 2815, Sub-Class 600, Budget Year 1999, Cable Communications Trust Fund, Department of General Services.

Which was read and referred to the Committee on Lands, Buildings & Procurement.

MR. ONORATO PRESENTED:

No. 1472 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure located at 514 Smithfield Street, and all of the property designated as Block and Lot Number 2-E-030, in the Second Ward, City

of Pittsburgh. --- (COUNCIL DISTRICT #6)

Which was read and referred to the Committee on Planning, Zoning & Land Use

MR. UDIN PRESENTED:

No. 1473 Resolution authorizing the periodic issuance of warrants in favor of the Commonwealth of Pennsylvania to pay the City of Pittsburgh JTPA Program's share of the statewide on-line computer system cost for the period July 1, 1998 through June 30, 1999. The total of the warrants will not exceed Twenty One Thousand Three Hundred Eighty One Dollars (\$21,381.00), chargeable to and payable from the JTPA-1 Trust Fund.

No. 1474 Resolution providing the authorization to make all legitimate expenditures for Agreement or Agreements with various agencies and vendors to advance the recruitment, assessment, and coordination for the additional employment and training activities brought on by the increased construction work in the City. Funds will be committed for promotional and recruitment activities, staff to provide coordination services, technical assistance to training providers, and address the transportation issues necessary to implement the Mayor's Employment Initiative, and providing for the periodic transfer of funds to be used in the Mayor's Employment Initiative Program. The total amount payable under this Resolution shall not exceed \$400,000.00, chargeable to and payable from the Mayor's Employment Initiative CDMO Account.

Which were read and referred to the Committee on Finance and Budget.

The Chair:

Is there any unfinished business to come in front of Council? Hearing none, move to Reports of Committees.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1475:

Report of the committee on Finance and Budget for March 30, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1419:

Resolution Providing for the issuance of a warrant in favor of Frank J. Zottola Construction, Inc. in the amount of \$15,499.24 for delay claim costs associated with the Municipal Courts Access Road project; and providing for the payment of the costs thereof. (PRESENTED BY MR. FERLO)

Which was read.

Also,

Bill No. 1426:

Resolution Providing for the issuance of a \$3,256.00 warrant in favor of Gregory Rossiter, 322 Kramer Way, Pittsburgh, PA 15211, in settlement of a claim in which claimant's sidewalk and front porch were damaged when a City

Public Works truck backed onto his property July 24, 1998.

Which was read.

Also,

Bill No. 1427:

Resolution AUTHORIZING and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of Seventeen Thousand Two Hundred Fifty Dollars and Ninety-two cents (\$17,250.92) to the Commonwealth of Pennsylvania representing the final payment required for unclaimed funds for the year 1990 pursuant to the provisions of Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971 P.L. 74.

Which was read.

Also,

Bill No. 1428:

Resolution AUTHORIZING and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of Six Thousand Eight Hundred Seventy Dollars and Seventy cents (\$6,870.70) to the Commonwealth of Pennsylvania representing the initial payment required for unclaimed funds for the year 1991 pursuant to the provisions of Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74.

Which was read.

Also,

Bill No. 1429:

Resolution amending resolution No. 47, Item D, effective February 18, 1999 which authorized the sale of a vacant lot, 100.22' x 87.81', located at 2604 Arlington Avenue, 16th Ward, Block 13 M, Lot 170, to Betty Wasick to correct the purchase price from \$1,000.00 to correctly read \$750.00. COUNCIL DISTRICT #3

Which was read.

Also,

Bill No. 1431:

Resolution PROVIDING for the filing of a petition or petitions for the sale of certain property or properties, known as Lien Excluded Properties acquired at tax sales, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984. (COUNCIL DISTRICT #1)

(a) 420 Pressley Street, 23rd Ward, Block 8 D, Lot 131, being sold to East Allegheny Community Council for \$1,000.00 plus costs. Three story (front) and two story (rear) brick house situated on a lot containing an area of 1,500 sq. ft. Intended Use: Future development/marketing.

(b) 418 Pressley Street, 23rd Ward, Block 8 D, Lot 132, being sold to East Allegheny Community Council for \$1,000.00 plus costs. Four story brick house situated on a lot containing an area of 1,768 sq.ft. Intended Use: Future Development/Marketing.

Which was read.

Also,

Bill No. 1432:

Resolution PROVIDING for the filing of a petition or petitions for the sale of certain property or properties, known as Lien Excluded Properties acquired at tax sales, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984. ---COUNCIL DISTRICT #1

(a) 507 Emlin Street, 23rd Ward, Block 23 S, Lot 165A, being sold to East Allegheny Community Council for \$1,000.00 plus costs. Three story brick apartment situated on a lot containing an area of 1,230 sq.ft. Intended Use: Future development.

(b) 723 James Street, 23rd Ward, Block 23S, Lot 209, being sold to East Allegheny Community Council for \$100.00 plus costs. Vacant lot containing an area of 1,776 sq. ft. Intended use: Future development.

(c) 520 Dunloe Street, 23rd Ward, Block 23 H, Lot 197, being sold to East Allegheny Community Council Inc. for \$1,000.00 plus costs. Two story frame house situated on a lot containing 2,033 sq. ft. Intended use: Rehab. for resale.

(d) 527 Dunloe Street, 23rd Ward, Block 23 H, Lot 148, being sold to East Allegheny Community Council Inc. for \$100.00 plus cost. Vacant lot containing an area of 1,680 sq.ft. Intended use: Future development.

(e) 518 Thropp Street, 23rd Ward, Block 23 M, Lot 266A, being sold to East Allegheny Community Council Inc. for \$1,000.00 plus costs. Two story frame house situated on a lot containing an area of 868 sq.ft. Intended use: Future development

(f) 814 James Street, 23rd Ward, Block 23 S, Lot 357, being sold to East Allegheny Community Council, Inc. for \$100.00 plus costs. Vacant lot containing an area of 1,307 sq. ft. Intended use: Future development.

(g) 619 Tripoli Street, 23rd Ward, Block 24J, Lot 34, being sold to East Allegheny Community Council, Inc. for \$1,000.00 plus costs. Two story brick and frame house situated on a lot containing an area of 1,431 sq.ft. Intended use: Future development.

(h) 624 E. Ohio Street, 23rd Ward, Block 24N, Lot 118, being sold to East Allegheny Community Council, Inc. for \$1,000.00 plus costs. Two story frame house and store and 2 story ext. rear situated on a lot containing an area of 1,562 sq. ft. Intended use: Future development.

(i) 1308 James Street, 23rd Ward, Block 23H, Lot 161, being sold to East Allegheny Community Council for \$100.00 plus costs. Vacant lot containing an area of 1,877 sq.ft. Intended use: Future development.

(j) 1005-1007 Spring Garden Avenue, 24th Ward, Block 24F, Lot 225, being sold to Spring Garden Neighborhood Council, Inc. for \$1,000.00 plus costs. Two story brick warehouse situated on a lot containing an area of 5,490 sq. ft. Intended use: Future development.

Which was read.

Also,

Bill No. 1444:

Resolution amending the Rules of Council, Rule IV (c) and VI (c), in compliance with the 1998 amendment to the Pennsylvania Act. **(SPONSORED BY MR. HERTZBERG).**

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

The bills are now ready for final action, all in favor of the passage of the bills will vote aye when your names are called; all those opposed will vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen
Mr. Ferlo
Mr. Onorato

Mr. Diven
Ms. McDonald
Mr. Ricciardi

Mr. O'Connor
(Pres't)

AYES **Eight** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

MS. MCDONALD PRESENTED:

Bill No. 1476:

Report of the Committee on Housing, Economic Development and Promotion for March 30, 1999, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1422:

Resolution Authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to URA of \$670,000.00 for the Allequippa Terrace Project (Council District 6). --- (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

Which was read.

Also,

Bill No. 1423:

Resolution Approving Execution
of a Contract For Disposition of Land By
and Between the Urban Redevelopment
Authority of Pittsburgh and the Pittsburgh
Economic and Industrial Development
Corporation, for the sale of Parcel E-1d.

Subdistrict II, (Part of Block 29J Lot 8) in the Sixteenth Ward of the City of Pittsburgh in Redevelopment Area No. 55, Carson Street, Council District No. 3 (construction of biomedical incubator facility). --- (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

The bills are now ready for final action. All in favor of the passage of the bills, vote aye when your names are called; all those opposed vote no.

Will the Clerk please call the roll?

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen Mr. Diven
Mr. Ferlo Ms. McDonald
Mr. Onorato Mr. Ricciardi
Mr. Udin Mr. O'Connor
 (Pres't)

AYES **Eight** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

MR. RICCIARDI PRESENTED:

Bill No. 1477:

Report of the Committee on Parks, Recreation and Youth Policy for March 30, 1999 transmitting one resolution to Council.

Which was read, received and filed.
Also, with an affirmative recommendation.

Bill No. 1451:

Resolution providing for an Agreement with various community organizations for operational/ administrative expenses, maintenance, the purchase of equipment; and or minor rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$102,500.00, chargeable to and payable from Account 593100, Fund 1000, Organization 500000, Subclass 300, year 1999, in the Department of Parks and Recreation.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen

Mr. Diven

Mr. Ferlo
Mr. Onorato
Mr. Udin

Ms. McDonald
Mr. Ricciardi
Mr. O'Connor
(Pres't)

AYES Eight NOES None

Bills have received the legally required number of votes and have passed finally.

The Chair:

Under motions and resolutions.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

Just very briefly, I am still a little bit perplexed about this political action committee that was formed by our Public Works Director, Mr. Kraszewski. I don't want to get into the legal issue at this point all though I would like to ask for a formal response from the Solicitor as to her interpretation of this issue. But I think it is appropriate that we ask the Controller's Office to do an audit of this pact fund. This is being brushed over too lightly as far as I am concerned. I don't have any conflict or dispute with any employee having a right to participate politically under the free speech or their right as a citizen. I have no objection to that if they want to contribute, if they want to form a pact what have you. But I don't think that is what this was about; and I want to know what it was about.

I think it is important that we ask the Controller's Office to find out what this pact is? How long is this pact been in existence? I was completely unaware of this pact. Probably nobody does as many

mailings for raising funds as myself and the Mayor and probably everyone of these colleagues and everybody else. I have never heard of this pact. So it has not exactly been one that has been listed on everyone else's contribution file when we are seeking public office.

So it is very condescend and very obscure and when that is the case, I raise the questions how long this pact has been in existence? Who actually has contributed to this pact? But I am most concerned about what the administration refers to and broadly is the appearance of impropriety. I am very much more concerned because in the past I have had criticisms and again Council members have nothing to do with awarding contracts or securing bids or procurement or anything of the sort, so I want to make that clear.

Staff people especially directors have significant input on who gets bids and who is permitted to engage either through procurement or purchase of goods and services, professional service contracts you name it. And certainly a big player in the awarding of contracts in addition to General Services would be the Public Works Director. So, before I dismiss this and kind of toss it under the rug, I would like a better understanding from the Controller's Office and I think they should be the ones that do it. I don't think I should have to do this, I think it should be done objectively. I think it is important that we do some further investigation on this pact.

How long it has been around? Who actually contributed to it? I would like to know what Pittsburgh Vendors? I would like to ask the Controller's Office

since they have the vendor ID numbers and the bid specs for them to do a comparison on who contributed? What bids they did or did not get? Who are the other players, whether or not they were approached to contribute? I am not willing to just dismiss this.

Maybe others are but I would respectfully ask and I will just do it by way of a letter. I don't want to put everyone else on the spot, but I would like to know two things. One, I would like a formal written legal opinion from the Solicitor regarding this issue. And secondly, I think it is completely appropriate that the Controller's Office do an audit of this account from its inception and do some comparison on the issue of how procurement and bids have been awarded by the Public Works Director, or his involvement to that extent? I am just curious to know that information.

The Chair:

On that subject, I hate to run --

Mr. Ferlo:

I will have a fundraiser coming up so if they want to contribute, they can contribute to my pact.

The Chair:

I am just curious what all is going on? There are some other things we have asked. If the Ethics Commission should be involved with this, I will ask Mr. Cohen what he feels. And if we want to do a resolution because there are so many things going on, it is going so fast. I am very curious again not just this matter some of the Door Brothers bids, the \$24,000 per truck, we were spending. I

just think it is time we re-institute if the Ethics Commission – not if, it is still involved, if they should be a part of some of these investigations. I think we have been brushing over too many things lately.

Mr. Cohen:

Mr. President, just on that point, any citizen including obviously any elected official can raise an issue with the Ethics Commission, put forward a complaint or a request for an opinion on it, and the Ethics Commission is obliged to respond. So, certainly anybody can do that. This may or may not be one of those that we want to pursue, but I personally need more information about it first other than what I have read in the paper. But, any citizen can raise an issue with the Ethics Commission. It hasn't happened much and I think the Ethics Commission ought to be more involved in these kinds of things.

The Chair:

I would like your opinion and –

Mr. Ferlo:

I am very disappointed. I know the Mayor, the Mayor holds himself to a very high standard. I will say that publicly as it relates to fundraising, we all do. We all raise funds for political action committee. But I know the Mayor's track record, I know him personally as well. And I know he has an extremely high standard on this. I am a little bit perplexed as to why the Public Works Director has been allowed to engage in this golf outing for (inaudible) and what the manner in which contributions have been solicited. I think it is appropriate that the administration and the Mayor in particular do some more

homework on this issue before it's dismissed.

Mr. Udin:

If you will recall, Mr. President, when we were discussing the question of potholes and snow removal, I had requested colleagues support in having a full examination of how the Public Works Department organized contracts relative to the street repaving before we gave them an additional \$4 million. I was alone in that request, did not receive a single vote of support.

Now we are being asked to examine more closely a pact fund but I have not heard, I heard questions raised, but I have not heard any impropriety suggested. I think that before Council uses its power and authority to investigate a pact fund, we ought to have some foundation for it. If there is some impropriety that is known then it needs to be investigated. But if all we have is the existence of a pact fund, I don't see how the authority of Council should be used as a political weapon to investigate a pact fund.

So my request is that more information that would be a basis for us asking for an audit and an investigation needs to be forthcoming before Council uses its authority to ask for such an investigation.

The Chair:

Well I believe according to the paper, the Deputy Mayor had asked the Law Department to give a report.

Mr. Ferlo:

I don't have any motion on the floor.

The Chair:

There is no motion, but the Law Department has been requested to give a report.

Mr. Ferlo:

I think I made it clear in my view on asphalt in the Public Works confidence of the Director.

Mr. Cohen:

I do think that Councilman Udin raises a very important point. I certainly don't have enough information yet to be able to state that there had been any improprieties. I don't know whether we would want to get that information either through Executive Session or other wise but I think Councilman Udin raises a good point.

I have another issue whenever the appropriate time.

Ms. McDonald:

Thank you. First of all, I do want to extend Councilman Hertzberg is not here today, otherwise I would join in with him to extend congratulations to Mr. Chuck Powell of the URA and Mr. Carl Cooper. Mr. Chuck Powell has been elevated to the position of Director of Administration and Mr. Carl Cooper has been elevated to Director of Real Estate within the URA.

Secondly, I would like to say that the Post Agenda, I want to thank Councilman O'Connor for your comments as well Councilman Udin to the Post Agenda. It was very much informative in fact more so than I even thought it would be. I have subsequent to that, I have had people ask me for retaping of this so that they can understand what opportunities exist out there. What entities exist to access financial aid to grow their businesses? I will be talking with the cable department, the Cable Bureau to see when it could be recablecast because people do want to know what is going on there.

In addition though, I was approached by Mr. Charles Reeves, who is the Director of the Business Resource Center of the URA, and he had suggested that we have a subsequent Post Agenda. I will be working with him on that and the subject will be to take it one step further and to have bankers come to the table. Banks and financial institutions that actually have the money, not just assist, they have the money. Find out how those monies are accessed, what the particulars involved? What is the track record, etc?

In addition to those invitees, we will also have it is not going to be just a dog and pony show, but to have minority and female businesses that actually have benefited so that the public understands that this is real, it is doable, it is not just rhetoric. So, we will have success stories as well. But it will basically be part two and he feels that is absolutely necessary because you can get all the assistance you want in preparing but going to the bank is the biggest step right there. So we will detail that and we will have bankers to the table.

I want to commend Tim Johnson of National City Bank for coming to the Post Agenda last week but also to be able to work with myself and Charles Reeves in developing an agenda on how to disseminate this information to minority businesses as well as female owned businesses. So I will be working with him as well.

Of course, Mr. Al Jones who was at the Post Agenda with SBA, I was not aware and I should have said it at the time. Had I known Mr. Al Jones of the Small Business Association has been solicited as the 1999 United States Small Business Administration Pittsburgh District -- what does that say -- Minority Business Advocate of the Year. So congratulations to him.

But again, we will have a subsequent Post Agenda. Also, lastly I want to extend apologies to Mr. Eustace Uku of Exico Corporation who was inadvertently omitted from the original list of invitees but was invited approximately two days prior to. He will be at the table during the next Post Agenda. Again, it was an oversight within the office. I publicly apologize to him, but he particularly was an entity that was around prior to SBA becoming more friendly. There was no black contractors association; there was no entity out there to help minority business, because I was a minority business. I know what was out there a decade ago, over a decade ago. It was through entities like himself that helped us get to the bank, to get a line of credit to grow our business. If it were not and Exico I don't think we would have grown at all. So, he will be at the table. I

believe that is all I have to say so I invite you all.

Mr. Ricciardi:

Same subject. I think it was a good idea of Valerie McDonald bringing into the Council Chamber such a diverse group of people. I had an opportunity Ms. McDonald to view it on cable TV. I saw a lot of people with good intentions, good ideas, and with all do respect, however, I saw a lack of a coordinated effort.

Maybe this is something that Valerie and others can work on and if I am mistaken in that Ms. McDonald can correct me now, but I didn't see a coordinated effort. I saw some people come to the table and come to the podium and not even aware what other people are doing. If I had an individual now that wanted to go through that process, I wouldn't know who to tell him or her to call to be perfectly frank with you. So maybe after the bankers, what we should do and maybe it is even getting a flow chart together and maybe I just need to see one individual or one organization or one municipality to take the lead. That is the only suggestion that I have for Ms. McDonald and others.

Ms. McDonald:

To Councilman Ricciardi he is right on target. That was one of the reasons that I wanted to have this is to came out some discussion that there isn't a coordinated effort and it is very confusing. Even with the substance of the Post Agenda, maybe people are still confused, but I think they at least understood that there is a menu out there. There are choices. You can use -- there were four

entities that actually made a presentation through the URA, the Business Center with Mr. Charles Reeves, you had SBA, Small Business Administration, you had Linda Couch with the Black Contractors Association, you had Mr. Eustace with Exico. Again and there were other entities that can do referrals like the African American Chamber of Commerce.

So, that is one of the issues that I wanted to come out and I would love to work with you on that is to be able to coordinate something. I don't know if there is ever going to be one focal point, think about it. I don't think it is going to work. But at least if there were some flow charts so that people could understand if you fall in this type of business, this is where you go. If you fall in that type of business, this is where you should go. So, again I appreciate those comments and that is a dilemma that I have too.

The Chair:

If I can compliment you on the Post Agenda, I think it was outstanding. I hate to echo what Mr. Ricciardi said, but almost every person with a very structured group and they looked like they really had their act together, the only trouble was each one said call me. So, there were four or five call me. I don't know how to solve that. I think the four or five groups that they really got together, they could probably have one hotline that someone has to call. It reminded me when my daughter was going to college, I went to five banks trying to get a loan, it was so complicated. I just wrote it off. The second time around I learned the system and it worked. But it is very difficult and everyone is in a tough situation. So I think if something has to come out of it, it is

something like who do you call first and they guide you to the right organization.

Mr. Diven:

First of all I would like to compliment Councilwoman McDonald on her leadership on this particular issue. I think we talked about all of this major development. I think one of the key points that we need to be focusing on is small business development and neighborhood development and her role as a leader in that direction is something that is desperately needed.

Also, I would like to point out, you know, we have been working in the South Hills, in particular in the Brookline neighborhood with CTAC and their neighborhood planning initiative where we have brought together a number of community organizations. And with the help of people like Charles Reeves from the URA who has done a fantastic job at attending meetings for the past six months, this evening we will be putting on kind of a business summit. We have sent out invitations to all the business owners, all the landlords and people in the community that would have an interest in being a part of redeveloping the Brookline Boulevard Business corridor and this is something that hasn't happened.

With the help of people like Charles Reeves we can get into people's hands tangible directions where they need to be going in order to start or improve upon an existing business and improve that whole corridor. So things like that are the direction that we need to be pursuing and that meeting will take place this evening. There have been a number of community organizations who have really

put a lot of effort into organizing this and doing it so it is structured, so you get the right people in the room and people that have a real interest in developing the corridor.

We also have had two and a half million dollars of private development committed for that corridor. We are working with the URA to try to expand the streetface program into a non-CDBG eligible area. These are directions that we need to kind of put together a package where we can take it on the road to all 88 neighborhoods. I hope that this is something I hope to repeat in the other six neighborhoods I represent, but without the help of Councilwoman McDonald and her leadership I think we would be a couple steps further behind than we are right now. But hopefully it will be a meeting that will turn into something very positive for that business corridor.

The Chair:

That sounds very exciting and maybe like you say a task force that we all can duplicate. If the URA has it together and organize it, we can all take it to our different neighborhoods.

Mr. Diven:

I think one of the biggest problems is people don't think to ask what is available. If we could be a little more proactive and taking it out into the communities and showing it to potential business owners or existing business owners that there is assistance here. And there are technical advice and financial advice and grant applications, that they could be pursuing what they have no

knowledge about then the chance of success is going to be that much greater.

The Chair:

Very good. Thank you.

Ms. McDonald:

I wanted to say I will be also coordinating not only with whoever wants to at the table but with the leadership of Councilman Udin who has been extremely busy and active in Plan B in making sure that small business, minority businesses, female owned businesses all kind of disadvantaged businesses are afforded the opportunity and the information. It is an uphill battle. It is extremely complicated and huge and he tends to sometimes take the heat but I applaud his efforts for making sure that we are kept abreast of the Plan B developments. And again what are the goings on in terms of accessing business opportunities with Plan B. Of course, I will be coordinating all efforts, making sure that we are all on the same page and coordinated as well as with small - what you have been an advocate of, Mike, is small neighborhood business development, as well as Councilman Ferlo. He has been on the forefront of this fight for a long time.

Mr. Cohen:

I also want to commend Councilwoman McDonald for her leadership and Councilman Udin and look forward to working with them on that issue.

I wanted to bring up a different issue this morning. That is about the lease agreements involving Plan B with the

Pirates and the Steelers. I am and continue to be a strong supporter of Plan B but at the same time believe that the details of Plan B need to be examined. That they need to be inherently fair, and fair to the Pirates and Steelers yes but at the same time fair to the public. Given that we all know that the public is financing the largest portion of the stadiums and will own them. It is fair to ask that a significant portion of the multiple revenue streams flowing from those stadiums come back to the public.

I have raised some questions about the draft lease agreements in a letter to my colleagues on the Public Auditorium Authority Board. They basically fall into three major areas. One is rent, two is gate receipts especially for non-game day events and what that means is events that are neither Steeler nor Pirate games, and third parking.

There are some red flags that came up when I read through the lease agreement. By the way, I only have the lease agreement from the Pirates, the Steelers lease agreement has not been given to the board yet or certainly not to the public. But the red flags include things like the fact that right now the Pirates are paying \$1.3 million in rent at Three Rivers Stadium, they will be paying \$100,000 in rent at the new PNC Park.

The Steelers are paying \$852,000 in rent at Three Rivers Stadium they will be paying \$250,000 at the Steeler stadium. In the memorandum of intent for the Steelers it says that the Steelers will get a credit against rent for cost overruns which at least in my mind goes against what we have heard for a long time which is that both teams will assume all cost overruns.

At the same time, for non-game day events, again non-Steeler, non-Pirate games right now the Steelers at least in the memorandum of intent the Steelers would get 100% of non-game day sporting events. That would include the Pitt Panthers, it would include WPIAL, whatever other sporting events they might have at the new Steeler stadium. They would get 85% of non-sporting events. The Pirates would get 85% of non-game day events. In my mind, the public should be getting a greater percentage of that given that these aren't Pirate or Steeler games, these are other events that are taking place in a public stadium.

Obviously these issues and others like parking will have a tremendous effect on the city. The facilities are in the city, city residents will be going to them, taxpayers money albeit from a regional sales tax but nevertheless city taxpayers money will be going into them. I think that we need to have as much information as possible about this whole issue.

The first thing I wanted to ask for is when I get them I am going to circulate the leases to my colleagues on City Council and would very much like your comments. Because every one of you has different areas of expertise and I would very much like your comments on these leases. As I said, I only have the Pirates lease, I just got it on Thursday. Hopefully we will get the Steelers draft lease some time soon and I will circulate it to my colleagues and would very much like your comments on it. I can run down through the line as everyone of you having a different area that I think you would be very helpful on.

The second is I think we need to have information about other stadiums around the country and what their lease agreements are. So, I would like to ask the City Controller to do a report on what other stadium leases are. Now these of course would have to be select stadiums around the country hopefully recent stadiums, baseball and football and for the City Controller, Tom Flaherty, to do a report on that and to present that report to Council.

It is not an audit. We wouldn't be of course auditing any of the functions of the Auditorium Authority. But rather just a report that would provide us information that would help us I think in reviewing these leases and deciding whether they are a fair deal for the public as well as being a fair deal for the teams.

So, I would like to put that in the form of a motion but before I do, let me just make one last comment and that is some people are saying that these lease agreements are set in stone, that they are a done deal. Let me make something clear, these lease agreements have not been released to the public, only one of them was even released to me as a member of the Auditorium Authority Board at the end of the day on Thursday we haven't gotten the other one. The Public Auditorium Authority Board has not voted on these leases yet, so to say that they are set in stone in my view really doesn't give credence to the public process.

This has to be a public process because these are public facilities. The public is paying the largest portion of the financing of these facilities and the public will own them. So I don't accept that these lease agreements are set in stone.

Moreover, the term of the leases is 29 ½ years, that is a long time. We will not be able to change any term of the lease for 29 ½ years. This really is our opportunity to make sure that these lease agreements are done right and that they are done fairly.

So, I would like to ask my colleagues to give me your comments as soon as we get these leases ourselves and get them out to you. And secondly to ask the City Controller to do a report on stadiums around the country and their lease agreements and I would like to put that in the form of a motion.

Mr. Ricciardi:

What is the motion?

Mr. Cohen:

The motion is to have the entire City Council ask City Controller Tom Flaherty to do a report on selected stadiums, recent stadiums around the country what their lease agreements are like so that we can have that information to make an informed judgment.

MR. RICCIARDI seconded for discussion.

Mr. Ricciardi:

I will just have discussion on the resolution, but after that I do have some remarks that I would like to direct towards this particular issue. Obviously I support the resolution. But at the same time I want to realize that we look at the city I hope we look at the City of Pittsburgh as individual. Meaning that I am not that concerned on what other cities do. I am very concerned with what we do with the city's tax money.

But I think Mr. Cohen is right, information is power and the more information we have to review the subject matter would be good so I am voting for that.

But afterwards, I would like to have some comments, Mr. President.

Mr. Cohen:

I think Councilman Ricciardi raises a good point. We need to structure a deal that is good for Pittsburgh. However, it would be good to at least look at other lease agreements to use that as a factor in our decision and to see whether the draft lease agreements for the Steelers and the Pirates how it compares to those others. It wouldn't be a determinative factor but it would be a factor.

The Chair:

Let me ask a couple questions I have. When you are going basically from a million dollar rent to a hundred or two hundred thousand is this going to be a triple net lease? Does that mean once they take over, don't call us if the roof leaks, don't call us for 29 years? There are some positives there. Also, who pays for the traffic, hopefully it is a sell out. I mean what money is coming back to the city for police officers, traffic, EMS all the things that we have to put in? Is it just going to be the half percent amusement tax, the parking tax would that be in the form of a TIF, does that have to come back to us? I mean I wouldn't believe that they could just give away the parking revenues, the 31% parking revenues without coming back to Council.

Mr. Cohen:

The amusement tax and the parking tax would come directly to us. There is no question about that.

The Chair:

So there are no TIF's on any parking?

Mr. Cohen:

That is right.

The Chair:

So you are talking about where the excess money whether we own the parking lots or whoever owns them.

Mr. Cohen:

Well, Mr. President, where the revenues go from the parking after paying taxes and other expenses where the revenue is going to go. Are they going to go to the teams or are they going to go back to the public?

The Chair:

All right. And will Council have any vote on anything outside of a few zoning issues?

Mr. Cohen:

It doesn't appear that way. That is really why I am bringing this up before Council because I view myself to be a representative really from Council on the Auditorium Authority. So, as far as I know they will not be voting on the leases and that is why I would like your comments on them.

The Chair:

I guess one last question. Mr. Onorato sits on the Stadium Authority, are they playing any part in these two new stadiums or is it just the Auditorium Authority now? I know there is going to be a super authority whenever, some day?

Mr. Onorato:

The Stadium Authority to this point is taking full responsibility for the acquisition and demolition of the buildings and preparing the site for the Steeler Stadium. As soon as the bond issue is -- we go out on a bond issue and that will be the Auditorium Authority, there will be two of them. As soon as the money is brought in from the bond issues, all of the responsibilities and liabilities and future operations of the new facilities will be under -- the Auditorium Authority will be transferred at that point, which could be in a month or two month period. Then the Stadium Authority would just be an authority to run out the life of Three Rivers and hopefully hold a big auction in about a year and a half.

The Chair:

Now I think I know the answer as you are speaking, but for the general public I guess the answer is because you are only a city entity now and this would be a City, County, State.

Mr. Onorato:

That is correct. And the new bond issue will be done at the Auditorium Authority, which is the County, City Authority, not through the Stadium Authority.

The Chair:

So, one of the positives for the general public at least city residents we are shifting all the burden that we once had over to a city, county, state authority so that we don't bear the burden of the old \$40 million stadium? So, that is probably the biggest benefit to the City of Pittsburgh.

Mr. Onorato:

But it should be pointed out, Mr. President, that that burden started to shift with the Regional Assets District because the Stadium Authority currently receives ten million a year, which is countywide dollars. So, we should be fair about that. The burden shifted from city only about three or four years ago once RAD was put into place.

The Chair:

All right. Any other questions on -- I think we do need an update and a draft. I will let it be up to you, but you may want to schedule a Post Agenda at least when the drafts start coming in because again a triple net lease with them paying for everything could be much better than what we have even if the rent isn't as good. Again, you have to see all the plus and minuses.

Mr. Cohen:

That is right and with your familiarity in the Real Estate area and the business area, your expertise there and certainly Councilman Onorato's on the Stadium Authority and everybody else's, I think that we could have a good public

dialogue on this issue. I think we need to have a public dialogue on this issue.

There are other revenue sources other than rent but as I view them two items in particular take ticket surcharge and what is called excess gate, but neither of them kick in until the Pirates have tremendous amount of revenues. For ticket surcharge it doesn't kick in until the Pirates hit \$30 million. Remember, their total revenues last year were \$18 million. With excess gate it doesn't kick in until the Pirates reach \$44.5 million in just ticket sales in a single season. So, we need to analyze these closely.

The Chair:

I don't think that -- hopefully it happens but that might be a sell out before it happens all year.

Ms. McDonald:

Yes, I want to applaud Councilman Cohen's efforts in being very meticulous about reviewing the lease agreements and his dedication to serving Council on the Public Auditorium Authority Board. I was not aware of the cost overruns, we were presented very clearly when we talked about Plan B is that the teams would assume cost overruns. That was also printed in the paper. That has been in the media and it disappoints me to hear that oh yeah they will pay for it but they get a credit against their lease, against their rent.

So, again I am glad that you brought some of these things up so that the public will be aware, so that Council members are aware because I personally was mislead on that. I think I have less concerns about the long term lease

agreement per say because I am sure that there are details in there and I am sure Controller Flaherty will bring that up in whatever audit he performs. But there are particulars or details in there that try to stabilize the teams that basically are incentives to keep the teams here. It is going to be an ongoing effort.

I am not saying I agree with all of them, but I am at least a little more receptive to that than I am to the cost overruns. I am very concerned and I think I will be more hard nosed about the actual construction because you are dealing with construction and we were told very clearly they would assume all cost overruns. That means in their own pockets, not taking it out of somewhere else, but in their own pockets. So, I would like to -- I look forward to the review of the information we get from Controller Flaherty as well as the draft of the lease agreements. And we look forward to your leadership as well as Councilman Onorato to put up because if it is a real thick thing, Dan, I can tell you I may not read it all. But to give me an executive summary of where we should look.

Mr. Ricciardi:

Same issue. Would you like to vote first on the resolution?

The Chair:

Are we ready?

Which motion prevailed.

Mr. Ricciardi:

Thank you. Same issue. Well before Councilman Dan Cohen gave his remarks I was going to take the

opportunity this morning to thank Mr. Cohen and commend him for his fine work on the Public Auditorium Authority in protecting the interest of all taxpayers. Taxpayers of the region, state taxpayers, county taxpayers, and city taxpayers. I think he has raised some very, very good points.

To answer one of your questions, Mr. O'Connor, do we have input in terms of votes? We have had a number of votes here at City Council where we had an opportunity to be a part of Plan B. I voted no on each one of them and I will continue to vote no and there will be more votes.

I am going to touch upon this because I want to end off on something very positive, but am I surprised by the draft of the lease? No. Because it has been a give away from the beginning and it is going to be a give away towards the middle and at the end it is also going to be a big give away. Is it true economic development if you took all of those millions of dollars up to a billion dollars and put them into creating real jobs then I could understand why we would be so generous to these franchises. But I am going to set all of that aside and actually touch upon something positive and Mr. Cohen can bring this back to the Public Auditorium Authority.

But it is my understanding now many vendors Mr. Cohen and others who are approaching the Public Auditorium Authority for contracts. For contracts for vending privileges and in order to sell their food, their refreshments and their goods within the stadium and outside the stadium. What I hope that we can do is take this opportunity to showcase Pittsburgh, Allegheny County, and

Western Pennsylvania products. I am hoping that I hear through the grapevines that all the vendors are meeting now with Mr. Leeper and others I am hoping we don't fall away from our products.

Just looking at beer for example, I realize that Coors Light Beer is one of the biggest sellers throughout the country and in this area, but I don't think it is better than any of our beers including IC Light. So, I hope that we don't fall into marketing of someone like Coors Beer from Colorado and pass up someone from the Lawrenceville area such as IC Light. I am going all the way through sausage for example. We got great sausage in McKees Rocks, Stowe Township, we got great sausage in the South Side. We got great pierogies and Mr. Onorato is correct.

So, what I hope that Mr. Cohen will bring back to the board, I hope that this will be an opportunity to showcase Pittsburgh and Allegheny County products. I am hoping this is an opportunity that any revenues that are generated and any business people that are going to make money I hope it is Allegheny County people. I hope it is not people from outside the region that is going to sell their goods, their wares, their refreshments and their food within that stadium. It should showcase Pittsburgh products.

Mr. Cohen, I hope you take that forward but it is my understanding that the next three to six months is the window of opportunity. It is my understanding through the grapevine that within the next three to six months that everything is going to be a done deal, the contracts, vendors are meeting now with the Public Auditorium Authority and contracts will

be drawn up very closely. I know Mr. Robinson from the Hill District that also represents parts of my district is giving a report card for the construction phase of inclusion of the minority community and the Pittsburgh and Allegheny County community. I think I am going to give a report card with hopefully the support of Mr. Cohen who has been doing a fine job on the Public Auditorium Authority. But I am going to be doing a report card for showcasing Pittsburgh products. The report card will come out every time contracts are let out by the Public Auditorium Authority.

We will see if they go to McKees Rocks and Stowe Township and the Mon Valley and the Southside of Lawrenceville, let us see if they go to Western Pennsylvania, Fayette Township, Butler County, or let's see if they go all the way out to Colorado and bring in a non-union beer such as Coors Light. Thank you.

Mr. Diven:

I think Mr. Ricciardi hits on a very, very good point. We really need to take the next three to six months and make sure that we are not being a pennywise and a pound-foolish. I think we have to be able to look past the basic numbers and figure out what kind of impact it is going to have in the community as a whole.

One of the things that I have talked about, in fact I had a very good conversation with a gentleman who owns a restaurant in the South Hills that has been recognized as one of the best restaurants. In fact I will mention it, Amels Restaurant, it has been telled as one of the best restaurants in Pittsburgh for years. It has been in existence for 30 years. I talked to

him about would he have any interest in being a part of Plan B or some of the spin off development around Plan B.

One of the questions I have is are we going out and are we looking at local business owners and local business people that have had a serious and positive track record of not only performing the job beyond any expectation or to the highest level of quality but also have been good community people in the City of Pittsburgh and Allegheny County? I think we have to make a concerted effort over the next three to six months to make sure that those kinds of people are at the table. Because I think when we go out and we start talking about these national franchises or national chains like you know you hear the Hard Rock Café or these kind of national chains, if they come and within seven years they're not turning a profit, they are going to pull up and leave. We are going to have vacancies there and the novelty of new stadiums is going to be long gone and we are going to have to scramble around and try to fill voids in order to maintain a complete package that everybody keeps talking about with this development.

I think there should be some kind of concerted effort to reach out to business owners who have had a tremendous impact in our region for years. Give them the opportunity to put whether they have to go out and leverage financing through the URA's so that they can compete with some of these national chains. I think we need to spend the time and do it right the first time and encourage local businesses because they have a stake in our community and they have a proven track record. And if we don't reach out to these people and seven or ten years when these

national chains go belly up or find their margin of profit isn't what they want out of the Pittsburgh region, we're going to have some tremendous holes that we need to fill. In thirty years we might be sitting back and talking about all the development that was proposed to be surrounding the new stadiums like we did with the debate around Three Rivers.

You know thirty years ago there was a grand scheme that had everything for everyone to be incorporated with that stadium and for whatever reason that never transpired. One of the things that I would think is if we have local people who have built a business and a reputation and have family here, they are more apt to stick with it through the long haul and make sure that the uniqueness and the flavor of Pittsburgh is represented and at the same time be willing to sacrifice in the long run to just be a productive business owner in the City of Pittsburgh. So that is one thing that I would like to see in the next three to six months is that we have a concerted effort to reach out to people that are going to be here for the next fifty years.

The Chair:

You may remember or maybe you worked for the county at the time, Mr. Foerster I think was very wise at the airport before they opened. I had a business then too, and we were all Western Pennsylvania Business people were invited to participate. You knew what was coming, what was available, and in some cases even if it was a franchise, they made sure the local person was a franchisee. I know the McDonald, Roy Rogers were a local franchisees. I know a couple of minority owners were there including

small business people who had their own business.

The same with the pricing you know so I think the role model of the county may be something we want to look at or if it is in place. Just what Mr. Ricciardi said we were all invited and you knew what the percentages were and you bid and lobbied and there was some preference for a local. I can't remember the exact percentage whether it was half or what was going to be local ownership.

Mr. Diven:

That is an excellent point. If all things are equal between a local person and a national chain or if the local person is slightly less than what the national chain has to offer. We need to air in favor of the local person because that is the reason we are investing so much money into these products or with the stadiums and the convention centers. If we don't make that investment pan out to the greater community then we are going to be throwing good money after bad.

The Chair:

My point and it came up with Ms. McDonald's meeting is even if it is a national chain there can be a local franchisee who buys and runs and operates.

Mr. Diven:

But my point that I originally made was in talking with Mr. Reiland from Amels asking him if there has been any kind of contact or anybody solicit him or other people that he knows in business,

and the response was that nobody has reached out to those kind of people.

The Chair:

Again, I would request you and possibly with Mr. Cohen, write Mr. Leeper a letter. Let's see what they're timing. You know there is a two year window but I am sure within a year when they start building these to specs whether it be a sit down restaurant, a fast food or whatever it maybe chaos that the local participation is part of the planning. I know the airport just had a large meeting and everyone was invited and everyone knew the game plan. It worked very well. So we should request that and make sure it is on his agenda.

Mr. Ricciardi:

Yes, and thank you about that, Mr. O'Connor. Except I don't believe we have a two-year window. I think the window of opportunity is between three and six months. Something else I would like to challenge the sport franchises too and also the Public Auditorium Authority has been very successful under the leadership of Mr. Foerster at the airport and that is street prices. There are many people that go out to the airport just to shop because it is worthwhile.

So I would really like to see both stadiums really offer affordable products and affordable refreshments and food. I think people would purchase more, I think they would make the money on quantity. Since it is such heavily subsidized by public dollars really maybe some subsidy should really go to the refreshments and food and we should have decent prices. I mean look at the Pirates and I believe what \$40 million they say they are putting in,

well they are taking the money from PNC for naming rights, they are getting credit for naming a public facility. It is a public facility; it is not their private facility. That money that PNC is putting into the stadiums or putting into the funds and the kicker, I don't believe really truly comes from the Pirates it is another subsidy that really should becoming from the public because it is a public facility.

But I really - and I don't want to lose track of this, I really want to thank Dan Cohen for really standing up because there is a lot of special interest groups there. Mr. Cohen has been very honest with us and I think he has been a solid supporter of Plan B, he believes in it. He believes it is true economic development but at the same time he is going to really watch out for the interest and the good of the taxpayer. I really want to commend Mr. Cohen for that opportunity to view him somewhat on television for about five, ten minutes and he really handled himself quite well on that station in defense of the taxpayers so thank you.

The Chair:

Thank you, Mr. Cohen.
Okay, anything else on the agenda?

There are a few, I do want to congratulate Mr. Ferlo. I know Mr. Diven you were there and other members for his comedy night. The money Saturday night went to the food pantries and it really was an excellent night and he was very successful at it. I think it was his second annual night. Hopefully he continues that.

We have a Post Agenda Thursday, at 2:00 p.m., Pittsburgh Works Post Agenda will be Thursday afternoon.

Wednesday, tomorrow at 2:00 we will have a Public Hearing on the health systems, UPMC health systems and sports medicine campus on Carson Street. We will have an Executive Session tomorrow morning at 9:15 on Bill 1453.

I would like a motion to excuse the absent member; Mr. Hertzberg is out of town.

MR. COHEN moved to excuse the absent member.

MR. DIVEN seconded the motion.

Which motion prevailed.

MR. COHEN moved to approve the minutes.

MR. DIVEN seconded the motion.
Which motion prevailed.

MR. COHEN moved to adjourn the meeting.

MR. DIVEN seconded the motion.

And on the motion made by Mr. Cohen, the meeting adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXIII

April 13, 1999

No. 15

Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, April 13, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

All please rise for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

We are fortunate to have a couple youngsters to do the pledge today. We have Adam Flanagan and his sister Kaitlyn, Adam is ten years old and his sister is three. He's a Boy Scout, Troop 90, and with him are his cousins from Ligonier, Bobby Stano and Nick who are

eight and a half and five and they are accompanied by Mrs. Flanagan whose the wife of Rick Flanagan head of the Bloomfield Garfield Association.

Adam Flanagan, Bobby and Nick Stano:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you. They're in Councilman Ferlo's District and here we have a gift for you guys and ladies. Let's get a picture.

We have many special guests in the audience today.

PRESENTATIONS

Mr. Diven:

At this time I would like to call up Ms. Pasqualena Mitchell and her friends and family and guests. You guys can all come up, come on up.

Colleagues, this is a great honor to have Pasqualena in our chambers today. Not only has she done some fantastic work working with youth and being a motivational speaker, but she's also a two time national champion and she is a resident of the Fourth Council District.

We wanted to bring her in today and recognize her for not only her athletic achievements in becoming a national championship in a sport that takes probably one of the toughest sports to compete in and she has succeeded. She has become the best in her field, but also we wanted to recognize her for her dedication and her ability to go out and work with the youth in the community. Let them know about the dangers of drinking and driving and the struggle that she had to come over in dealing with things in her life and the success that she was able to achieve. So with that I would like to read the proclamation recognizing her.

MR. DIVEN PRESENTS:

No. 1478 WHEREAS, on June 6, 1977, at the age of 17, Pasqualena Mitchell was involved in a serious automobile accident fueled by alcohol and;

WHEREAS, Pasqualena sustained a C 6, 7 spinal cord injury and was told she would never walk again and;

WHEREAS, Pasqualena's life was forever changed and her courage to come back stretches over the last 21 years in defiance of medical expertise and;

WHEREAS, Pasqualena has overcome years of coping and dealing with the consequences of drinking and driving, severe physical injury, and painful rehabilitation and;

WHEREAS, Pasqualena began working out with weights to gain upper body strength and now holds the title of National Women's Wheelchair Body

Building Champion for the second year in a row and;

WHEREAS, Pasqualena has continued to pursue her education and is about to reach her goal of obtaining a dual Associates Degree in Business Management and Accounting Specialist and;

WHEREAS, Pasqualena has become a motivational speaker and has spoken to thousands of students on the consequences of drinking and driving.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend Pasquelina Mitchell for inspiring others and providing prevention through being a positive example of how one can overcome adversity and achieve success.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Tuesday, April 13, 1999, "Pasqualena Mitchell Day" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Diven:

With us we have some special guests of Pasqualena. One is her sister, Carmelia Markovitch. You want to come up and say a few words?

Mrs. Markovitch:

Good morning and it's an honor to be here on behalf of my sister and in the presence of City Council. You will probably hear me echo a few things that Councilman Diven has said because Pasqualena and I have worked very close on her project over the last five years.

On June 6, 1977 at the fragile age of 17, my sister, Pasqualena, was permanently disabled as a result of a serious automobile crash, and of course her life was changed forever. She sustained a spinal cord injury and we were told she would never walk again. Her courage to come back stretches over the last 22 years. And she is an inspiration not only to the physically disabled and physically injured, for anyone who has been wounded by life and searches for the strength to go on.

Her story is also a triumphant testimony of coping and dealing with the consequences of drinking and driving, severe physical injury, painful rehabilitation, depression and despair and of drug abuse and its devastating effects. Her story carries a strong message of renewed faith as well as physical, mental and spiritual strength. She has overcome enormous odds. Gratefulness inspires her to give something back and she believes in her heart it is God's will for her to share her story in an effort to prevent further tragedies.

As her oldest sister I speak for the entire family and all of our friends when I say we are very, very proud of her.

We thank you city and county for recognizing her. It gives us great pleasure to see her receive such a distinguished

acknowledgement.

Mr. Diven:

Also, we would like to ask Reverend Markus Harvey of the CEO of Strength, Incorporated.

Reverend Harvey:

Good morning. I'm going to make this kind of short because like any other preacher, you get a mic you want to run your mouth. This is Patty's day.

We sponsor Patty. Strength Incorporated. We are located in Wilkinsburg, 701 Wood Street. We work in the field of prevention and substance abuse and education. We are a resource and referral center. We are a 501C3. We run programs in different schools and the jails throughout the community.

Patty and I have a relationship over ten years. I am one of Patty's spiritual advisors, myself and another woman by the name of Lynn Spally (phonetic), she is out there. We can remember empowering Patty to go ahead and do what she wanted to do as far as getting her message out to the people. And what she does best is talk to kids about you don't have to live like this. This is the end result.

One of the most important things about Patty's strength is inner strength. The strength she has inside that we all have. And she has been able to utilize and tap into that. But I want everybody to see something, Patty take your jacket off, please. This is why she is here. She is the second time national wheel chair champion. Look at her muscles and look at this woman. Look at the strength. Now

you know why we are all standing here. Have you ever seen anything so beautiful? And just as her muscles are that's how her spirit is. Her spirit is more powerful than all of us in here put together. So you truly know God works. Thank you.

Mr. Diven:

We want to thank you and give you the opportunity to speak and tell us a little bit about your story. I know it is a tremendous one. She is a champion in every sense of the word.

Ms. Mitchell:

First of all, I would like to thank you, Councilman Diven, for being aware of what is happening in your district and actually calling me and inviting me here and for bringing this to the other Council to be voted upon. It really is an honor to be here and it is really important for me to know that you're paying attention to what is going on. So I would like to acknowledge you for that.

I would like to thank everyone for being here. You know 22 years ago I would have never made it without family, faith and friends. And that's what has brought me a long hard way. There is just not enough time for me to go into saying the things that there is so much that I have to say but what I do by going out and carrying the message and telling the story about the tragic event that went on June 6, 1977. Why I do it is because it comes from the heart. All I do is go out and tell the truth. I just speak the truth about being 17 and not having goals, not being focused on education and being a teenager that was about having a good time and paying some severe consequences for living that way.

I paid heavy consequences and not only did I pay the consequences, but it had a rippling effect on my family and everyone around me. And it dawned on me a few years ago after having a Godchild who would confide in me that if I could have an impact on her life, and I don't have any biological children of my own, that I was here to go out and love all of God's children and take the message of faith and hope out to whoever I possibly could. And that is my mission. I believe that that is God's will for me.

The Mothers Against Drunk Drivers, Dr. Baxter, has called upon me and I was asked to be the keynote speaker this year at the Eighth Annual Youth Conference that was held in Monroeville. Strength Incorporated has stood beside me and just been there and helped me to get the message out there. I am more than happy to do what I do. I do it because I know the importance of needing to guide our children. The children are all of our future and I believe, I know what's going on out in the streets. It may be a little more hidden today than it was when I was coming up, but it is still going on and it still needs to be addressed. And as many schools that call me that's as many places I will try to make it to.

I have calls coming in from East Liverpool, Ohio, at this point. But there is just not enough exposure. You know what I am hearing is other programs don't work. Well I have boxes and boxes of evaluation forms that I can show you, anyone, in any form of government that will tell you how these kids are evaluating what it is that I am taking to them. All I am doing is going up there and sitting and telling them that look if you are using drugs and you feel there is no way out, there is a way out. I

am the evidence of it.

I am here to tell you that there is hope. I am trying to bring the message of hope to them. I am trying to bring the message of hope to the physically challenged. If you think you can't take another day, I was told I would never walk again. I was told I would never have an abdomen muscle. I was told -- you know six years ago I couldn't even lift my arms I was in so much pain. I started going to the gym and I said three words -- Jesus help me. And I know that my life changed six years ago.

I kept going in this direction and taking this message out there and it has continued to change and it is better than I have ever imagined it could possibly be. I can't believe that I can be a contribution to society today by telling the truth. The truth is that I made mistakes and I suffered severe consequences for them. I don't go in and tell young people just say no. I don't go in and tell them what to do. I wheel in as evidence that's all. I just go in and say look this is what happened in a split second. So if you want to play Russian Roulette that's up to you with your life because that's exactly what I did. I knew better. I was raised to know better. I knew right from wrong, good from bad. But you know, I still made poor choices, and suffered consequences for them.

I just want to thank everybody. There have been so many people that are linked in the chain that has been going -- the chain is so long it covers 22 years but every single link in that chain that represents a person there is a reason for them having been in my life. And there is a reason that I have been in their life. You know I go out into the bodybuilding arena

and I do it just to stay in shape. I work out to stay fit, to stay in shape, however when I go out and I pose, I do it to spiritual music and this year "When You Believe" that was my music, not Bad To The Bone. My message is there can be miracles when you believe, and I am the evidence of that. And yes I flex my muscles but I am flexing, you know people see that outer muscle but the message that I am conveying is always, always about inner strength. Because I can do all things through Christ whose strengthens me. And I thank you so much for inviting me here.

Mr. Diven:

Did you want to give the number for Strength Incorporated incase somebody watching TV would have an interest in asking you out to speak at an event?

Ms. Mitchell:

I would love to. You can reach, just call Strength Incorporated, 412-244-0329. Again my name is Pasqualena Mitchell. Some people like Reverend Harvey call me Patty, PQ, just tell them the woman who is going to be 40 with the gray streak in her hair that is sitting down because she made a mistake. All of our services are free. So if you feel like you need help if you are in a group of whatever it may be, it is not just about me. I am just -- it is not about Pasqualena Mitchell, all the Pasqualena Mitchell's out there. Please give us a call and see what we can do and how we can help.

The Chair:

Molly Knox and Barbara Farrell please come up and I would like Gene

Ricciardi to help me present this. This is sponsored by all Council members. I have known Molly many years and she has a wonderful organization on the Southside and actually I don't know if you give tours but the building itself which you have done the physical plant besides what has been done emotionally inside is fantastic. If you haven't been there you are really missing out on a wonderful place that unfortunately is needed in Pittsburgh. We are fortunate to have it and you two young ladies for helping us. Barbara is better known as Hooksbarrel's (phonetic) daughter, so if you need any golf lessons, she didn't even bring her clubs either. Let me read the proclamation.

MR. O'CONNOR AND MR. RICCIARDI AND ALL COUNCIL MEMBERS PRESENT:

No. 1479 WHEREAS, Pittsburgh Action Against Rape (PAAR) is a private non-profit organization founded in 1972 by a group of lawyers, health professionals and activists who believed that victims of sexual assault should have expert assistance directly following the commission of the crime; and,

WHEREAS, PAAR began providing sexual assault hotline services and medical/legal advocacy, staffed by volunteers with professional skills in social work and psychology providing victim services in 1974; and,

WHEREAS, the designation of 1979 as the Year of the Child resulted in an increased public awareness of child abuse and the corresponding demand for help for child victims of sexual assault and incest; and,

WHEREAS, PAAR responded to this need by hiring staff to work specifically with victims of child assault and today, provides comprehensive, free services to child and adult victims of sexual abuse throughout Allegheny County; and,

WHEREAS, PAAR services include crisis intervention, including a 24-hour hotline, medical and legal advocacy and crisis counseling; group counseling and long-term individual counseling; and,

WHEREAS, PAAR has consistently provided more hours of direct services than any other rape crisis center in Pennsylvania.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend PAAR for their dedication and commitment to victims of sexual assault; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare April 19-25, 1999, "Sexual Assault Awareness Week" in the City of Pittsburgh.

MS. MCDONALD moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Again, I have had the privilege of being there and it is a fantastic place to go if you need it and it is a wonderful feeling that we have people like you and the

services you have. The different floors, different things for children. I was so impressed and I am always trying to be as active as I can and as helpful as I can. I know, Mr. Ricciardi, you want to say a few words it's in your district.

Mr. Ricciardi:

Yes. Thank you very much. PAAR, Pittsburgh Action Against Rape has been supported over the years by City Council, this legislative body and past administrations. As Mr. O'Connor stated in his opening remarks, it's fortunate that we have them, but obviously unfortunate that their services are needed.

The Southside in the City of Pittsburgh has been blessed to host the center. Number one, they took an old dilapidated building and made it a jewel for District Three. But beyond bricks and mortar what they do inside the building is so, so important what Molly Knox and Barbara and her other staff members do for adults, adolescents, especially children. But where I am very thankful to have PAAR is not only are they helping those that have suffered sexual abuse but they are out there preventing, teaching others, especially children on how to say no. On how to protect themselves. They are just a fine organization and I am so happy they're here today. I want to thank Mr. O'Connor for bringing them forward. Thank you.

Ms. Knox:

I am delighted to be here this morning. It's good to see each of you. Sexual Assault Awareness Week is a long title for really the focus on let's get rid of the violence in this community particularly against women and children. And I

thought it would be inappropriate to come here without bringing you something that might stick in your hearts. So I brought each of you, each Council member and each of you a pin. I wear one, it is called the clothesline pin and you get to choose which one you get in this little basket. And what they symbolize is showing America's dirty laundry about sexual abuse. The secret that is not told, the shame that is not heard, the victim that is primarily the child. And truth be told it is not raped adult women victims that we see the most of. We see the most of children, 650 children in counseling every year and adult survivors of childhood sexual abuse who were abused as children.

So I invite you to come and tour our facility because what we do there is healing work. Healing work. We help people get on the other side of trauma that can stop their lives and put their lives on hold or they can choose to go forward with information, support and help.

I want to thank several people this morning. Each of you on Council who has made it possible for us to receive funding each year, it's been important to us in ways that you may never know. I want to thank Gene Ricciardi for being a supporter from the very beginning when the Southside wasn't quite sure that they wanted to have a rape crises center there. They thought we might bring rapists to their area. Far be it for us to bring rapists. I want to thank Bob O'Connor who has come and who has seen and who has been supportive of what it is we do.

We need each one of you if we're going to turn this tide of violence. I don't care what they say about the demographics of Pittsburgh and out migration what we

see is more and more people coming forward every time the media says the word rape, every time the media says child molestation, every time the media says woman death. We see more people coming forward and with your help we intend in this community of ours to make that picture different.

I also want to thank Barbara Farrell who put together the Sexual Assault Awareness Week and she will hand out to you all the great events that you can come to in the next week. Like you don't have anything else to do. But they do include odd things for us like a bingo and an event at Rose Bud and you are invited because it is the spirit of our community. It is the healing spirit of our community and the sense of we can do it. And nobody can stop us that drives us forward.

So for each person I am going to go around and have you pick a pin and Bob gets to be first. I want you to wear these; I don't care if you are a man.

Ms. Farrell:

Good morning. My name is Barbara Farrell and I am the Community Education Specialist at Pittsburgh Action Against Rape. Molly is passing out all the pins and I am going to pass out the fliers about the weeks event. Thank you. I am pleased to be able to stand up here today and tell you that we have put a lot of hard work into this week. We are grateful to City Council and to Bob O'Connor for allowing us to come here and tell you a little bit about it.

Officially it will be April 19th to the 25th and we have a week worth of events. They're educational, they're fun,

they're informational. We started off on Monday, April 19th with a poetry reading. What we do is we have survivors and friends and families of supporters of survivors who will come and share their experience, strength and hope.

Then Tuesday for the first time in the City of Pittsburgh we are going to have information tables in public areas which is very nice. We have had a lot of cooperation from the city, from the realtors in downtown Pittsburgh who are allowing us to have tables where they have high traffic so that we can get the information out because education is so critically important.

Wednesday we have a bingo, Big Bucks Bingo, and it is funny. It's funny but we're very happy. But we're looking for a way to incorporate a variety of different things not only fun but we're looking for money to continue to fund our educational programs.

Friday we have an event at Rose Bud. We understand Rose Bud is a very popular place for a lot of City Council people to go to. So we're having an event, we are having a benefit concert at Rose Bud.

Then on Saturday is the final wrap up. We're having a skate for families. Actually it is going to be held at the Golden Mile Skate Rink in Monroeville which they have donated everything and they have donated all the proceeds. Also the Pittsburgh Penguins have donated a signed Jaromir Jagr stick for us to raffle off in order to get more funds. So we have a whole week of events. We are thrilled. We are just -- we're overwhelmed, we're overworked but it is in our hearts that we

want to get this information out.

Mr. Ferlo:

I will donate my Penguin stick.

Ms. Ferrell:

We'll take it. Thank you very much. But we are pleased and thank you very much and we hope to see you there. And we thank you for your support.

The Chair:

Pat Crawford from Pittsburgh Public Schools please come up. Thanks for waiting. This is something you gentlemen and ladies have to pay attention to because we're all involved with this. I believe everyone on Council and the Mayor will be reading in the public schools in the next week or two. So we all want to get behind this great effort by the Pittsburgh Public Schools. I will read the proclamation.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 1480 WHEREAS, the Pittsburgh Board of Education agreed that communications, with an emphasis on Early Literacy become the primary focus of teaching and learning in the 1998-1990 school year; and,

WHEREAS, all staff and students in the Pittsburgh Public Schools have been engaged in special communications and literacy as outlined in the Literacy Plan; and,

WHEREAS, the involvement of parents and the Pittsburgh community is

essential to the success of these efforts; and,

WHEREAS, as a part of this effort, the Pittsburgh Public Schools has established April 27th as Literacy Day throughout the School District with a district wide DEAR - Drop Everything and Read - time set for 10:15 to 10:30 a.m.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Pittsburgh Board of Education and Pittsburgh Public Schools for their ongoing commitment to literacy district wide; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare April 27, 1999 as "Literacy Day" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

We have Pat Crawford from the board. You want to tell us what is going on? It is an exciting week.

Ms. Crawford:

It is an exciting week. It is also an exciting month because April is National Literacy Month. I do want to tell you that we have 40,000 kids in our Pittsburgh Public Schools from Grade K through 12. All of them have worked very hard this year on their communication skills and there have been a lot of special projects

going on but we wanted to save a lot for April because it is National Literacy Month. For those of you who are volunteering your time to read in our schools during the next couple of weeks, I do want to thank you. I know most if not all of the Council members have agreed to be apart of guest readers in our schools. I want to thank you for that on behalf of our kids.

The big day is going to be April 27th and we are inviting Council members, the Mayor, and the whole City of Pittsburgh to join in our effort at 10:15 to drop everything that you're doing. Pick up a book or a magazine or newspaper and read just for the sheer fun of reading. That is one message that we want to get across this year that reading is important. I don't mean reading all of those papers before you. Because I know that that might be a temptation but try to bring in a special magazine or a book that you really wanted to delve into and get started on that.

But I would like to thank you for proclaiming the day as Literacy Day in the City of Pittsburgh. I invite you to come into our schools at any time and help us out. Our kids have worked very hard as I have said and they would like the community to join them in this. Thank you very much.

The Chair:

I want to thank you, Pat, and for all the things you -- you do a lot of great events in the city. I think this will be shared by everyone and I know each and everyone of us will be at one of the schools that week.

We have a few to be read into the

record.

MR. COHEN AND MR. O'CONNOR PRESENT:

No. 148! WHEREAS, the Jewish National Fund owns or manages 92% of the land in the State of Israel, has planted over 210 million trees, has built roads, parks and recreation areas, has turned archaeological sites into important tourist areas, has built dams and reservoirs to increase Israel's water supply, has developed land for housing, industry and farming, and is a major employer of new immigrants in the country; and

WHEREAS, community leader Janice Friedman will be honored by the Pittsburgh and Tri-State Region Jewish National Fund at its 56th Annual Dinner on Sunday evening, April 18, 1999; and

WHEREAS, Janice Friedman has figured prominently in the Pittsburgh theater scene, her credits including many Jewish Community Center productions such as Simply Simon, Little Me, Promises-Promises, Sweet Charity, Funny Girl and Guys and Dolls and is a talented writer, having penned the "Sparkle Song" for this past year's Sparkle Season and the "Woman of Spirit" song as well as producing many fundraisers for Hadassah, Ladies Hospital Aid Society, Jewish Education Institute and United Jewish Federation; and

WHEREAS, Janice Friedman, a 1996 Carlow College "Woman of Spirit," has served on Boards and Committees including Civic Light Opera, Parental Stress Center, Rivers Club, Hillel Foundation, National Council of Jewish Women, United Jewish Federation, Ladies

Hospital Aid Society and the Leukemia Society of America; and

WHEREAS, Janice Friedman, a native Pittsburgher, owns and operates Maternity Fashions, located in downtown Pittsburgh for over 51 years, the oldest single proprietorship of its kind in the United States; and

WHEREAS, Janice and Alter Friedman are the loving parents of four daughters and the grandparents of four; and

WHEREAS, in recognition of Janice Friedman's volunteer service, renowned actor, Emmy and Tony award winner Hal Linden will be the keynote speaker at the 56th Annual Dinner.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends and thanks Janice Friedman for her dedicated years of service to our community.

MR. FERLO moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

MR. COHEN, MR. O'CONNOR AND MR. ONORATO PRESENT:

No. 1482 WHEREAS, Israel Bonds is the foremost investment organization in this country for the State of Israel; and

WHEREAS, Attorneys Bernard Marcus and Daniel Shapira will be honored by the Legal Division of the

Pittsburgh Tri-State Israel Campaign during its 11th Tribute Dinner; and

WHEREAS, Attorneys Bernard Marcus, and Daniel Shapira, founding partners in the law firm of Marcus & Shapira, LLP, have distinguished legal careers and are well known in Jewish and civic circles; and

WHEREAS, Bernard Marcus is actively involved with the United Jewish Federation, currently serving on the Budget and Allocations Committee, the Cardozo Society Steering Committee and as co-chairman of the King David Division and in the legal community, serves on the Law Firm Committee for Neighborhood Legal Services Association and Legal Aid for Children as well as local and national bar associations; and

WHEREAS, Daniel Shapira has held major leadership roles with the United Jewish Federation, including Chair of the Campaign for 1999, and is a member of the boards of Pittsburgh Vision Services and Montefiore Hospital and in the legal community is a member of the National Institute of Trial Advocacy as well as local and national bar associations.; and

WHEREAS, in recognition of their dedication to our community and support for the State of Israel, Attorneys Bernard Marcus and Daniel Shapira will be honored by Israel Bonds during its 11th Tribute Dinner to be held on Tuesday, April 13, 1999, at 6:00 p.m. at the Westin William Penn Hotel.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends and thanks

Bernard Marcus and Daniel Shapira for their dedicated years of service to our community and to Israel.

MS. MCDONALD moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. HERTZBERG PRESENTS:

No. 1483 WHEREAS, the Cities of Pittsburgh, Pennsylvania and Cincinnati, Ohio have traditionally been "baseball towns;" and

WHEREAS, the Kings Knothole Association of Cincinnati, Ohio will host a three Game Little League Baseball Tournament From April 16th to April 18th, 1999; and

WHEREAS, the Baseball games will be held at Warren County Park, in Cincinnati Ohio; and

WHEREAS, the City of Pittsburgh Little League Baseball Team from the neighborhood of Sheraden is participating in this Cincinnati Tournament; and

WHEREAS, the host team will treat the baseball teams to a picnic during the three game Baseball Tournament; and

WHEREAS, the traveling cup that was given to the Sheraden Baseball Association when they hosted the 1998 tournament will be presented to the Kings Knothole Association for hosting the 1999 Tournament

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh and the Sheraden Baseball Association would like to thank the Kings Knothole

MR. HERTZBERG moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

MR. UDIN AND MS. MCDONALD PRESENT:

No. 1484 WHEREAS, Judge Doris A. Smith attended the University of Pittsburgh where she received her B.S. Degree in Economics in 1969 and her Juris Doctorate Degree in 1972. Judge Smith is a resident of Philadelphia, Pennsylvania and;

WHEREAS, her court admissions have included the Allegheny County Court of Common Pleas; Pennsylvania Supreme Court; U.S. District Court for the Western District of Pennsylvania; U.S. Court of Appeals, Third Circuit; and the Ohio Supreme Court and;

WHEREAS, Judge Smith was elected in 1987 to a ten-year term on the Commonwealth Court of Pennsylvania, a statewide appeals court. She received the highest voter total in the 1987 statewide elections, and she recently won her retention election in November 1997 for a second ten-year term and;

WHEREAS, in 1984 Judge Smith was appointed by Governor Richard Thornburg to the Court of Common Pleas of Allegheny County. Prior to holding judicial office, Judge Smith was engaged

in a successful law practice for over twelve years and;

WHEREAS, Judge Smith served as a Commissioner on the Pennsylvania Human Relations Commission by gubernatorial appointments from Governor Milton Shapp and Governor Thornburg in 1974 and 1980. She served as Solicitor to the Allegheny County Controller from 1980 to 1984 and;

WHEREAS, Judge Smith has served on the boards of various civic, community and charitable organizations. She has been the recipient of many community, educational, professional and civic awards including, but not limited to: National Bar Association, Women's Division, President Award; Rutgers School of Law, Black Law Students Association "Champions for Social Justice And Equality Award", Judge A. Leon Higginbotham, Jr. Award.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh joins in honoring Judge Doris Smith for her outstanding achievements, hard work and dedication.

MR. HERTZBERG moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

We will now move to presentation of papers.

MR. COHEN PRESENTED:

No.1485 Resolution authorizing the transfer of Fifty Thousand Dollars (\$50,000) from the Confiscated Narcotics Proceeds Trust Fund to the Equipment Leasing Authority for the purchase of vehicles and related accessories.

Which was read and referred to the Committee on Finance and Budget.

MR. DIVEN moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. FERLO seconded the motion.

Which motion prevailed.

Also,

No. 1486 Resolution Amending Resolution Number 25, effective February 11, 1999, authorizing a Cooperation Agreement or Agreements which provides for the transfer of funds not to exceed Four Hundred Eighty Three Thousand (\$483,680.00) Dollars to the City of Pittsburgh Equipment Leasing Authority for the purchase of vehicles, radios and equipment for use by City of Pittsburgh Departments and Authorities, by increasing the total allocation by Two Hundred Twenty Five Thousand (\$225,000.00) Dollars.

No. 1487 Resolution Amending Resolution Number 40, effective February 18, 1999, providing for an agreement or agreements, or use of existing Agreements and/or Contract or Contracts, or use of existing Contracts, and for the purchase of materials, supplies and equipment and/or

services in connection with the Renovations and Maintenance of Various Public Buildings and elevators; and providing for the payment of the costs thereof by decreasing the total allocation by Fifteen Thousand Two Hundred (\$15,200.00) Dollars.

No. 1488 Resolution Amending Resolution Number 26, effective February 11, 1999, authorizing a Cooperation Agreement or Agreements which provides for the transfer of funds not to exceed Three Million, Seven Hundred Sixty Five Thousand (\$3,765,000.00) Dollars to the City of Pittsburgh Equipment Leasing Authority for the purchase of vehicles, radios and equipment for use by City of Pittsburgh Departments and Authorities, by decreasing the total allocation by One Million Seventy Five (\$1,075,000.00) Dollars.

Which were read and referred to the Committee on Lands, Buildings & Procurement.

MR. DIVEN moved to suspend Rule 8 by providing for the consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. DIVEN PRESENTED:

No. 1489 Resolution authorizing the transfer of Five Hundred Fifty Thousand Dollars (\$550,000) from the Local Law Enforcement Block Grant Trust

to the Equipment Leasing Authority for the purchase of police vehicles and related accessories.

Which was read and referred to the Committee on Finance and Budget.

MR. DIVEN moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. FERLO seconded the motion.

Which motion prevailed.

Also,

No. 1490 Resolution Authorizing and directing the Directors of the Departments of Engineering and Construction and City Planning, and the Public Parking Authority, to conduct a traffic and parking study of Brookline Blvd. between Pioneer Avenue and Queensboro Avenue to examine improving the availability of parking within the business district. The Report is due within 60 days. —(SPONSORED BY **MR. DIVEN**)

Which was read and referred to the Committee on Planning, Zoning & Land Use.

No. 1491 Resolution Providing for the advertisement for proposals and to award and enter into an agreement(s), professional service agreement(s), and/or contract(s) or use existing agreement(s), professional service agreement(s), and/or contract(s) for Radio System Equipment, to include upgrades to the City's existing

radio infrastructure, for the purchase of equipment, supplies, communication, hardware, software, training, professional services, and maintenance. The total cost of the purchases will not exceed \$207,500.00.

Which was read and referred to the Committee on Public Safety Services.

MR. FERLO PRESENTED:

No. 1492 Resolution Providing for a Contract or Contracts, or use of existing Contracts and/or an Agreement or Agreements, or use of existing Agreements and for the purchase of equipment, materials and supplies in connection with the Rehabilitation and Repairs of Various Pools, including but not limited to McBride Pool; at a cost not to exceed \$265,000.00.

No. 1493 Resolution Providing for a Contract or Contracts, or use of existing Contracts and/or an Agreement or Agreements, or use of existing Agreements in connection with the Bridge Inspection and Maintenance Program; at a cost not to exceed \$85,000.00.

Which were read and referred to the Committee on Engineering and Construction.

MS. MCDONALD PRESENTED:

No. 1494 Resolution amending Resolution No. 781, effective January 1, 1999, entitled, "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999-2004 Capital Improvement Program," by making certain corrections.

Which was read and referred to the Committee on Housing, Economic Development & Promotion.

MS. MCDONALD moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced, so the bills will be on the agenda this Wednesday.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

MR. O'CONNOR PRESENTED:

No. 1495 Communication from City Solicitor Jacqueline Morrow submitting the Summary of Claims filed and paid in March, 1999 and in the first quarter of 1999.

MR. HERTZBERG moved to receive and file.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Also,

No. 1496 Communication from Mayor, Tom Murphy submitting an Executive Order agreed upon by the Building Trades to ensure employment opportunities for city residents including qualified journeymen and minorities, on all City projects.

Which were read, received and filed.

The Chair:

Motion to receive and file.

MR. HERTZBERG so moved.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

We will now allow public comments for two minutes. Anyone wishing to address Council please do so now. Please state your name and address.

PUBLIC COMMENTS

Ms. Brown:

Can I ask a question before you start? I thought it was three minutes. You cut it down now to two.

The Chair:

It is three.

Ms. Brown:

Just checking up on you. My name is Yvonne F. Brown and I live at 2633 Brackenridge Street and that's Pittsburgh 15219. Before I start on what I wanted to say I saw that you had a board member from the Pittsburgh Public School System. I have children and grandchildren that go there, I also participate like I do here I go and I speak before the board. I was very pleased to see that you Council people have made a decision to go into our school system and to read to the children or whatever you are going to do to help participate and make this day a fine day. I have a statement that I need to bring out to you today do more of this because I go to

the Pittsburgh Public Schools system I speak out.

The board has the tendency and this has been for over 20 years to allocate money according to race and what area the children live. And I know that, I can prove it. If you go through the books and go through the budgets and you will see it. So if you come as Board, as Council people I think that they might change some of the tactics that they have. If you need to see what I am talking about, I gave you Mr. Hertzberg my concerns. It was a paper that I started as a concerned parent and I marked off the different things. I also gave you an affidavit that showed you where I got this information from. So we need you not just -- don't give out awards and make special days, come and fight for our children, all children. Now thank you very much.

Now what I want to say is this. The last time I came I told you that on April 3rd I was in Washington DC where I participated in a Nationwide call. It was a nationwide march against police brutality and also the Housing Authority Police. I told you at that time we were told there were 25,000 people there. Now I also was trying to explain to you that people come to me because they see the Johnny Gammage button and they say and ask me am I saying that all cops are bad? I explain to you that I am not worried whether they are good or they are bad, just if they treat people fairly and equally.

Now I usually come and I tell you about how in my neighborhood the police are harassing the citizens that are sometimes standing and waiting at the bus telling them they must move or they will take them to jail. How my daughter went

to the policeman and she had been attacked without her coat and shoe, she said please take me home. He said, I ain't taking you any where.

I have something good to tell you. Last week my daughter had went to -- the same daughter, I have two daughters one 14 and 15. They went to Northview where I have an older daughter. They came back, they ran into the bunch of girls that had attacked my daughter. But they flew into McDonalds and there was the policeman in there. And they told the policeman what had happened. The policeman looked out and the policeman suggested to them to stay in there. He insisted that they stay in there because it could be trouble.

He explained to them that he could not leave because he was on his job. He could not take them home. But you know what the policeman also did -- if I may continue because this is very -- I want you to understand how my children came home to me and said that this black policeman bought them food. He set and he talked to them but he went above and beyond the call of duty.

I come here and I talk about what the different policemen are doing, I am speaking about the ones that are not respecting our people. And that could be older people, the younger, it could be handicap or whatever. All I am saying is that we need policemen to stand up and be accountable if they misuse, abuse, kill or whatever they must answer to what they have done.

Now I understand that the policemen have the so-called code of silence. But if that is so and the police are afraid to speak out against another

policeman they know is harming people then you need a witness protection for the police. Now some of you may say I am crazy but that's the only thing that may help somebody to speak out.

I want to thank you for your listening. I need to ask Sala Udin and Mr. Ricciardi two questions and this has to do with prior.

The Chair:

Please summarize. Hurry up.

Ms. Brown:

Mr. Udin, I wanted to thank you when you spoke up for the children when you said that last year they had said that the children will not have to pay to go to the public swimming pools. You also said you were going to look into and see if a law had been broken were you able to get that information?

Mr. Udin:

Not yet.

Ms. Brown:

Mr. Ricciardi, I saw the last meeting there was a long sheet and you had how much money would be given to the Citiparks and recreation. I saw like Greenfield got \$5,000 and so on, the Hill District 1,000 or \$2,000. Maybe if you could explain how these certain neighborhoods get more than others. But what I wanted to -- the main thing is this, and I am sorry I am going a little fast, because I know I have to stop, is this. You said that it was a hundred thousand would be given for the parks and the different

things. Well what happened to the money for repairs, were money for repairs also included? Because what parents are saying, we cannot change you, change you from saying that the children must pay --

The Chair:

Please summarize. We're not going to conduct hearings. The Councilmen are available anytime.

Ms. Brown:

All I want to do is ask --

The Chair:

We will give you --

Ms. Brown:

I am at the very end.

The Chair:

Please end. Mr. Ricciardi, do you want to respond?

Mr. Ricciardi:

I will respond after the meeting.

The Chair:

He will meet you after the meeting. All Council are available, we can't turn this into a half-hour debate.

Mr. Ricciardi:

I will respond after the meeting publicly because I have a prior appointment.

To be perfectly honest with you, I

don't think this is the proper forum for us to get into dialogue. But after the meeting I will respond to you regarding the funding. The appropriate allocations I believe you're talking about were allocated by different Council members for CDBG dollars. So you will have to talk to the City Clerk and see if it is on file. Who allocated what dollars to what community? It is on file with Linda Johnson-Wasler.

Ms. Brown:

I wanted to know how some get \$5,000, one gets 1,000, one is getting -- that's all. Thank you.

The Chair:

Thank you.

Ms. Brown:

Thank you, President. I am sorry that I over stood by term, but I didn't understand that you couldn't ask questions.

The Chair:

To you or anyone else in the public, it's a three-minute comment and if anyone wants private discussion with Council members, we're available almost 24 hours a day. Our phone numbers are listed. So if you have questions, that's the proper time. This is not the proper forum. Anyone else want to address Council?

We will now move to unfinished business. Any unfinished business to come in front of Council. Hearing none move to Reports of Committees.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1497:

Report of the Committee on Finance and Budget for April 7, 1999, transmitting one ordinance and sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1452:

An Ordinance amending the Pittsburgh Code, Title One, Administrative, Article XI, Personnel, Chapter 181, General Provisions, Section 181.09, Advance of Expenses, by deleting "City Treasurer."

Which was read.

Also,

Bill No. 1453:

Resolution providing for the issuance of a warrant in the sum of \$15,000 to USX Corporation and Bethlehem Steel Corporation c/o Barry J. Trilling, Esquire, Pepper Hamilton & Scheetz, LLP, 50th Floor One Mellon Bank Center, 500 Grant Street, Pittsburgh, PA 15219-2502, in full and final settlement of the action filed at C.A. 96-1240 alleging the release of hazardous substances from a landfill located in Elizabeth Township.

Which was read.

Also,

Bill No. 1454:

Resolution amending Resolution No. 779, effective January 1, 1999, entitled, "Making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the year," by making certain corrections.

Which was read.

Also,

Bill No. 1455:

Resolution amending Resolution No. 780, effective January 1, 1999, entitled, "Fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels for designated positions," by making certain corrections.

Which was read.

Also,

Bill No. 1456:

Resolution Providing for the advertisement for proposals and to award and enter into an agreement(s), professional service agreement(s), and/or contract(s) or use existing agreement(s), professional service agreement(s), and/or contract(s) for Information Systems Modernization to include upgrades to the City's existing information system infrastructure for the Year 2000 Compliance in conjunction with all City Departments and applications for the purchase of equipment, supplies, communication, hardware, software, training, professional services, and maintenance. The amount will not exceed

Eight Hundred Seventy-Five Thousand Dollars (\$875,000.00).

Which was read.

Also,

Bill No. 1457:

Resolution Providing for the advertisement for proposals and to award and enter into an agreement(s), professional service agreement(s), and/or contract(s) or use existing agreement(s) and/or contract(s) to maintain and develop numerous Public Safety applications for the bureaus of Police, Fire, and EMS in conjunction with Y2K and the Copsmore Program for any and all expenses associated with the purchase of computer equipment, software, communications equipment, analysis, design, development, programming, professional services, and maintenance in conjunction with the feasibility, development, enhancement or implementation of the Mobile Data Terminals, New Computer Aided Dispatch System, and Imaging Application and Copsmore95 and 96 Programs as they relate to Public Safety Applications. The amount of this request will not exceed Three Hundred Seventy-Five Thousand Dollars (\$375,000.00).

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Onorato:

Mr. President, on Bill 1455 there is

an amendment in front of you deleting Item S and changing Item V to keep the overall amendment balanced. This is a clerical correction of the bill that was brought forward last week. This was an item that was already adjusted previously in the budget back in December and this was incorrectly put into the budget adjusting entry.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Any other discussion on the bills? Bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine NOES None

Bills have received the legally required number of votes and have passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 1498:

Report of the Committee on Public Works, Water and Environmental Services for April 71999, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1445:

Resolution Granting unto The University of Pittsburgh, 124 Cathedral of Learning, 4200 Fifth Avenue, Pittsburgh, PA 15260, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a steam line on Lytton Avenue, electric, telecommunication and chilled water lines on Tennyson Avenue and chilled water lines on Fifth Avenue.

Which was read.

Also,

Bill No. 1446:

Resolution Granting unto Cupka's Café II, Inc., 2314 E. Carson Street, Pittsburgh, Pennsylvania 15203, the privilege and license to construct, maintain and use at their own cost and expense, a sidewalk café on a portion of the sidewalk at 2314 E. Carson Street in the 16th Ward, 3rd Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 1447:

Resolution Granting unto David and Patricia Wolf, 5801 Marlborough Avenue, Pittsburgh, Pennsylvania 15217, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a wall and fence on a portion of the right-of-way of Murray Avenue in the 14th Ward, 5th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 1448:

Resolution Accepting the dedication of certain property along Penelope Street, a portion of Lot and Block 15-A-120, between a 12' Unnamed Way and Spahrgrove Street in the 19th Ward, 2nd Council District, City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Cohen:

Thank you, Mr. President. On Bill 1445 I have some questions about how large the construction sites will be and how long they would be at the corner of Fifth Avenue and Tennyson? I received a report from the Public Works Department and I appreciate it and it is a report that I think will be satisfactory.

Mr. Ferlo:

Completely on the same bill but a

different matter. I am not voting in favor of extending any privileges to the University of Pittsburgh at a time when they, as far as I am concerned, have openly attacked gays and lesbians at the University of Pittsburgh. This bill while it appears to be (inaudible) bill which would allow certain construction its none the less it is worded in such a way as to suggest that Council is extending a privilege to the University of Pittsburgh.

I personally see no reason why I should extend the privilege to the University of Pittsburgh at this time given the fact that they're suing this Council and the City of Pittsburgh, that directly brought the city and all of our residents under attack based on the University's very backward narrow view on the issue of discrimination in the City of Pittsburgh. And given the fact that they have us in litigation that they're fundamentally attacking civil rights legislation in the City of Pittsburgh, given the Neanderthal and the backward view of the Chairman of the Board at Pitt who refers to gays and lesbians as those people.

I see no reason to vote in favor of this. I strongly object to it and I will not vote in favor of it.

Mr. Ricciardi:

On the same issue. I think it's a very courageous position that Mr. Ferlo has brought forward. I also will not be voting for this.

In the past as you know colleagues, the utilities, for example the gas companies throughout the City of Pittsburgh have a number of smaller sort of huts, if I can use that word. And in the

past I was very upset with one particular gas company and I said you know we're not going to give them that encroachment in McKenley Park because I saw that I could bridge the two issues. I don't think there is anything wrong with bridging two issues especially when there is principle involved here. And I also will be voting no on this. Thank you.

Ms. McDonald:

I will be voting in the affirmative. I do not agree with the policy that is under discussion that Councilman Ferlo has brought up. But the reason that I am definitely voting in the affirmative is that if we hold up something because one institution or one organization has a policy we don't agree with, we might as well deny all kinds of permits and right of ways and encroachments. Because you will find that indeed there are many corporations, there are many organizations and businesses that do have policies that are even more, that are even more egregious than what we're talking about here.

So again, I don't want to legislate or to cast a vote with one entity in a vacuum when there are many organizations and businesses that if we wanted to we could scrutinize. I don't want to set a precedent if I do it for one, I am going to do it for all. I am not going to micromanage mini institutions as much.

So again I agree with the comments and the opinions but I don't believe that we should legislate in a vacuum as such without and ignoring everyone else out there too.

Mr. Cohen:

Thank you, President. I appreciate

Councilman Ferlo raising this issue. I agree with him and I will be talking about domestic partnership at our motions and resolutions portion of this meeting.

At the same time, I don't think that we should hold up telecommunication line on Tennyson Avenue. But I certainly agree with his point very strongly. I would hope that the mounting public pressure against the University of Pittsburgh's position which I agree is an irresponsible position when it comes to the city's equal rights amendment, that the University of Pittsburgh is opposing the city's equal rights amendment. They are an institution of higher learning or at least they are supposed to be an institution of higher learning, the conflict between an institution of higher learning on the one hand and the opposition to an equal rights amendment on the other hand is pretty stark. And I am quite convinced that public pressure will continue to mount to the point where Pitt will have no choice but to change its position. I don't think we need to do that through Public Works legislation we will be doing that through public pressure.

Mr. Ferlo:

On the issue as far as I am concerned is not the issue about the domestic partnership and whether or not the University should or should not extend it. I have my own personal view and I think they should because they have done it to heterosexual couples at the University of Pittsburgh. But that in effect is not the issue that is being debated here today.

In all do respect to Councilwoman McDonald no business, no corporation, no small business person, no organization, no

right wing homophobic organization in the City of Pittsburgh is engaged in litigation against this Council and the City of Pittsburgh basically attempting to undermine a ten year old civil rights bill in the City of Pittsburgh. Extending basic civil liberties and protections to individuals who are gay and lesbian or perceived to be gay and lesbian in housing employment of public accommodation, no entity in the City of Pittsburgh. The University of Pittsburgh stands alone in this strategy of suing this Council not on the issue of domestic partnership but undermining the ability or prerogative of this Council legislatively through a very long hard fought battle to pass an ordinance extending protections close to a decade ago.

So there is a fundamental issue here much different than the narrow issue of whether or not Pitt should or should not extend a prerogative or a benefit to a certain group of individuals at the university that's not what the issue here is today. The issue is that this university as well epitomized by very backwards comments by the Chairman of the Board at the University of Pittsburgh is suing this Council and the City of Pittsburgh in attempting to undermine civil rights legislation in the City of Pittsburgh. I will not support it. I will not extend them a privilege and a courtesy.

The Chair:

Can I ask you a point on that? Do we have an opinion from our Law Department? Again, I think they're comparing apples to oranges here. Why they're bringing in this against the domestic issue against the civil rights issue.

Mr. Ferlo:

The university hired a very prestigious, expensive, hard working litigation law firm who basically is throwing everything at the wall. One of the things they are throwing at the wall in their defense of the university not providing these benefits to an individual professor at Pitt is the one point. Basically fundamentally challenging the ability of the City of Pittsburgh to extend the civil rights ordinance in the City of Pittsburgh and beyond what they say is the prerogative of the state legislature. So they are not debating it at the Human Relations Commission the issue of domestic partnership, they're debating the fact that Council -- they're saying that Council has no legal authority to have done what it did nine years ago and I disagree with that.

Mr. Cohen:

Can I add to that real briefly? The City of Pittsburgh to the best of my knowledge also filed an (inaudible) brief in that case. A friend of the court brief in that case. Jacqueline Morrow drafted a letter saying that the University of Pittsburgh's position is contrary to the law and for us supporting our own equal rights amendment and that is what I am referring to is the equal rights amendment is the amendments of the Human Relations Act. So, we the city is on record in opposition to the University of Pittsburgh.

Mr. Ferlo:

Where are these public officials that sit on the board of the trustees of the university and other committees they

should be speaking out on this issue? I haven't heard anything from these other elected officials other than very backward comments made by the Chairman of the Board at Pitt and others defending the university's position.

I am not voting for this privilege, I am not voting for anything for the University of Pittsburgh.

The Chair:

That was my point. If you want to have a post -- I would like to maybe look at a Post Agenda because we do have a lot of issues concerning the University of Pittsburgh coming in front of us. And whether they be close votes or unanimous votes or whatever I believe this should be straightened out at least concerning the city where they're going back to a nine year lawsuit, nine years ago a law that this Council passed. We may want to clear that up and again you asked Mr. Ferlo where are our people and what side are they on and where are we going with this.

Mr. Ferlo:

I think it is time to start sending Pitt a message that we are not pleased with what they're doing in the court of law against the ordinance of the City of Pittsburgh. I realize that it doesn't have anything directly to do with whether or not we grant an encroachment or privilege to construct a sewer line or communications line underground on Lytton Avenue. But I think we have to start sending a message to the University of Pittsburgh.

The Chair:

I feel a better way to do that would

be with a Post Agenda, have our Law Department and I think you're very serious --

Mr. Ferlo:

I don't think the University of Pittsburgh while they are engaged in litigation is going to appear in public.

The Chair:

Even without them we may just address ourselves what the issues are.

Mr. Ferlo:

Well, I was just speaking my own view on why I am voting no.

The Chair:

Any other discussion? Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Udin	Mr. O'Connor
	(Pres't)

(Mr. Ferlo and Mr. Ricciardi voted no on Bill 1445)

Bills have received the legally required number of votes and have passed finally.

MR. ONORATO PRESENTED:

Bill No. 1499:

Report of the Committee on Planning, Zoning and Land Use for April 7, 1999, transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1458:

Resolution Authorizing and directing the Director of Planning, in conjunction with the Urban Redevelopment Authority of Pittsburgh, to develop a comprehensive redevelopment plan for the LTV Steel Company, Inc.'s former Coke and By-Products facility and the Irvine/Second Avenue commercial corridor in Hazelwood and, furthermore, to develop strategies for the possible acquisition of the LTV property by the URA. **(SPONSORED BY MR. O'CONNOR & MR. HERTZBERG)**

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Ricciardi:

Mr. President, I do apologize. Did we read Bill 1442? Which bill was that?

Mr. Onorato:

No we did not. That's the next bill.

The Chair:

On Bill 1458 directing the Planning Department and the URA to have a development plan for the LTV former Coke site, I want to thank you for your support. I think it really is sending a clear message especially to the 15th Ward and the people of the greater Hazelwood area that we care about that neighborhood. We have a Mon Valley Expressway coming in that will open up that whole section.

I believe it certainly is sending a message not only a message but a new energy to that section of the city with what is going on with Homestead and the Southside which we all support. This will be the last piece of land over two hundred acres available in the city for development. I believe we can all come up and put our heads together and really come up with a strategic plan that will benefit not only Hazelwood but the greater Pittsburgh area. I want to thank you for your support of that.

Bills are now ready for final action. All those in favor of the passage of the bill vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES	Eight	NOES	None
-------------	--------------	-------------	-------------

Bills have received the legally required number of votes and have passed finally.

MS. MCDONALD PRESENTED:

Bill No. 1500:

Report of the Committee on Housing, Economic Development and Promotion for April 7 1999, transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1442:

Resolution Authorizing and Directing the Office of the Mayor to operate the City of Pittsburgh Growth Initiative Fund, dedicated to attracting jobs and businesses to the City of Pittsburgh. --
-(SPONSORED BY MR. COHEN)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Cohen:

Thank you, Mr. President. I would like to thank Council for its continued support for this legislation. This is the Pittsburgh growth initiative legislation. Every year or at least for the last three years since it was passed by this Council \$75,000 went toward marketing this city to industries that are clustered within the city that have been identified by Pittsburgh

High Technology Council. That includes specialty steel information and technology environmental for example, biomedical those industry based clusters that we really need to attract and can attract because we have such an asset here in our city. We can attract businesses from around the country to tie in with those industries and to bring new jobs.

So this \$75 thousand is a small price to pay for a marketing effort that so far has been quite successful. I think it could be even more successful and will allow us to attract companies that will relate to those industry-based clusters.

Mr. Ricciardi:

Yes I think this is a great initiative that was brought forward by Mr. Cohen several years ago. I don't mean to detract from the legislation but just I would like to mention one thing and even keeping politics out of it. Lately there have been so many statements about the number of jobs that have been created in the City of Pittsburgh, Allegheny County and the region. And I do mean this in all seriousness we need to be able to measure some how the true number of jobs that this legislative body and the administration and the County Commissioners are creating and retaining out there.

You know a lot of times we get involved with TIF's and a lot of times we say for example the PNC and the Mellon TIF that if we pass this particular TIF that employment will increase. We gave a TIF to an organization, I am not going to mention it because I have to verify the numbers but they're right now having a layoff. And I know this for a fact because individuals that are canceling their parking

leases up around the arena because they said they have been laid off.

So some how and I have asked Mr. Scott Kunka to work on this and he has been talking about it to the administration, but colleagues we have no idea right now how many jobs we have created because of our initiatives. We have no idea on how can we measure the number of jobs that we have created or retained by using tax incremental financing. We have no idea how many jobs that have been created through the economic development fund. Now we continuously get good reports from the URA saying that these numbers of jobs have been created. But I am not sure they have.

So again I am not detracting from this legislation I would just like to say as maybe in the future, Mr. O'Connor, if you could convey this. Maybe we could set up a small committee and really start to see and maybe make some cold calls, go back to some of this. Now I went back to a URA grant that was given in my district and they had promised X number of jobs were going to be created and we gave them a bundle of money. Those jobs were not created. I talked to employees no new jobs were created.

So when they fill out this particular application and this is not a reflection or a negative on our URA, but when they fill out an application and it says X number of jobs will be created and then I make a phone call to employees that are working at this particular business, organization, I am trying to stay away from the name. The two employees say, Gene, we haven't created one job. So I think we have to begin to measure that if I may. And I don't

want to call for an audit through Tom Flaherty, because sometimes if you call for an audit, it appears that something is wrong. I am not saying something is wrong. We really have to get a handle on this and see if our policy is working to retain and create jobs. Because if it hasn't worked, maybe we have to change gears.

I just would like to say, Mr. Cohen, it is a not a reflection on this particular legislation. I just want to begin to measure the true number of jobs we have created so we can start giving ourselves a report card.

Mr. Udin:

Mr. President, I want to thank Councilman Ricciardi for pointing out more eloquently than I have been able to point out in the last few weeks the dire condition of jobs for residents of the City of Pittsburgh especially from programs that are subsidized by tax dollars. That's what this whole effort around Pittsburgh Works has been about.

As a part of the research in developing Pittsburgh Works, we looked at the TIF legislation that was amended by Councilman Ferlo. Some of the amendments in that TIF legislation required specific commitments from organizations that received the TIF subsidy to present a plan on how many jobs would be accorded city residents from a result of the TIF funding. We also added that there should be a tracking of minority and women owned businesses in the TIF supported projects. We said that there should be a tracking of jobs to Pittsburgh residents that come from once the TIF project is built. What we failed to do, however, is we failed to follow through and establish a responsibility for tracking

that plan and those contracts and those jobs.

So now when I go to the Urban Redevelopment Authority and I ask them who is it in your shop since you are the one who brings the package to Council once we approve it, who is it that follows up to see whether or not these jobs that are in this plan actually materialize? And how many of them are residents of the City of Pittsburgh? They say oh we don't track that, that's done by the Personnel Department in the City of Pittsburgh. And then you go to the Personnel Department and say where is the data that tracks the jobs that were created by TIF supported projects in the City of Pittsburgh? Oh we don't track that that's the Urban Redevelopment Authority. No body is tracking it. And as a result, I don't believe that taxpayers are getting the benefits that we promised them when we gave these subsidies to these projects in response for their work.

So Councilman Ricciardi is dead right. There is -- we're not watching the store. We need to develop a tracking system. We need to do accounting. We need to go back to every single project that was supported by TIF's. If you add up the amount of deferred tax dollars that are accumulated over 15 to 20 years of these TIF's and see what the size of the subsidy is of the City's taxpayers investment in that project, you will find that it is substantial. But you will not find I am afraid that there has been a proportionate degree of benefit in jobs coming to residents of the city. And that almost amounts to a fraud that we have perpetrated on the taxpayer, because we promised that the benefit to us would be jobs. And if we did not get the benefit of those jobs, then I think that we

have mislead the taxpayers and we ought to be held accountable for it.

Ms. McDonald:

Yes. I am supporting this legislation. The only thing and I commend Councilman Cohen for really getting this ball rolling with the Pittsburgh growth initiative. I think it's necessary. I have asked for a breakdown concerning the expenditures because when I talked to Ms. Vargo she had indicated it is very difficult to ascertain how many jobs or how much business was drawn here. How many businesses have we landed here in terms of this initiative, this \$75,000 annual expenditure? I understand that and I accept that so all I really asked for is a breakdown of the type of expenditure so I can see how it works. How the moneys are being used, how we are in deed marketing? I have yet to get that. Well that's all right. But I am going to go ahead and vote for this in the spirit of continuing our efforts in marketing the city. It is not a lot of money. Believe me, it is not compared to what other cities do spend.

In terms of the jobs, I appreciate what Councilman Udin and Councilman Ricciardi have brought up. I don't want to veer too far off the mark because we are now into TIF territory and we love to talk about the TIF territory. We're going to get back into TIF territory tomorrow. I am going to have an initial meeting to discuss how there could be some mechanism. Maybe it is not as definitive as some of the elements in the Pittsburgh Works legislation, but at least we will try to get at least some grass on entities, businesses that do use, that have been utilizing TIF's to see where they're at in terms of employment. How Pittsburghers have

been more gainfully employed through our tax dollars, etceteras. Again, it is an initial step but in answer to how do we monitor the jobs, that's what I am trying to do with that TIF legislation is to be able to look at it. To be able to ascertain are we benefiting in terms of allowing these waivers and taxes in terms of this TIF for the people that actually work here, people that live here, people that want to work here and live here.

So I will -- all Council members are ex-officio of the TIF committee. I think I emailed everyone as to this meeting which is scheduled tomorrow. I look forward to your input, so yes we are going to get it done.

Mr. Hertzberg:

On the issue of trying to track job creation and in some of the representations that are made by some of the employers that come in and do expansions and that we have worked with. One solution might be not to have an audit by our Controller, but just to vest the Controller with this responsibility. Because I think it is the kind of work that the Controller is accustomed to doing to check on. You know someone represented they were creating 10 jobs at this facility or that they were going to hire city residents at this particular facility, I think that's a function that the Controller should be performing. And primarily because the Controller is an independent elected official and I do think some politics come into play in some of the figures that you may get out of some of the other offices.

I think there are a lot of reasons. It is the kind of work the Controller ordinarily does and it is good to have someone that's an independent elected

office with their own staff that could handle these things doing those kinds of reports. And also because Councilman Udin is exactly right. No one else is taking responsibility so maybe that's where it all ought to fall on the City Controller.

Mr. Diven:

Yes, sir. I have been pretty skeptical on a number of TIF's and some of the concerns about how we are developing the City of Pittsburgh and where we're not developing the City of Pittsburgh. One of the problems that I have last week or about two weeks ago I received a report, the Pittsburgh Development Fund 1998 Report. In that report it detailed three billion 100 million dollars worth of development. Now when I went through the report and picked apart the projects that were listed in an itemized fashion, I found out that only \$86,000 was invested in the entire Fourth Council District.

Now I couldn't even get a percentage on a calculator, I had to go to our Budget Director Scott Kunka. I think he had to do it on an abacus, but it came out as three one thousandths of one percent of the total investment in the City of Pittsburgh for seven neighborhoods that share probably a great deal of the tax burden in the City of Pittsburgh. I have sent a correspondence to the Mayor asking for his leadership in making sure that those seven neighborhoods are in the development scheme for the City of Pittsburgh. I am awaiting a response from that letter. But I think we definitely need to be more critical about what is going on including the jobs and who is getting the jobs but as well as how that development is spread out throughout the whole city.

I mean \$86 thousand out of three billion 100 million dollars is not any -- it is not even a drop in the bucket. I understand a big portion of that three billion dollars is for downtown development, Plan B, but the neighborhood development fund totals \$786 million and my Council District received \$86,000, which there has to be more of an effort. Council really needs to put pressure to make sure that if we talk about a rising tide lifting all boats, that seven neighborhoods aren't surrounded by a dam. That's a real problem that I have is that we're not getting any kind of attention or any kind of investment or any kind of follow through from the people that are supposed to be taking the leadership in development.

Last week we had a meeting with the neighborhood planning initiative on Brookline Boulevard where we have all the community organizations actively going out and talking with business owners and landlords trying to bring them in and reshape that business corridor. We had 48 business people and I believe 12 or 13 real estate owners on Brookline Boulevard. Now we have been planning this meeting for six months and Director Birru was supposed to be there in attendance and he never showed. That's just not acceptable. He was contacted by my office and he was contacted by the people in the community organizations and he was made aware of it. For him not to come up there left me with the impression for the citizens of the Fourth District that it wasn't a priority.

That's not acceptable and I am really starting to look at some of these development projects and some of these

initiatives that the administration is taking with a more critical eye than I have in the past because I think it's only right and it is only fair. I mean our economy is going very strong right now. We see a lot of development and we see a lot of investment now that's not going to be here forever. There is going to come a time where we hit a slow down and a lull in the economy and there is no longer going to be such a rapid investment in the City of Pittsburgh. If we're not taking the time to make sure all 88 neighborhoods are represented in this economic development scheme, then we're not doing our jobs.

I hope that the Mayor's administration will contact me, because I pledge any resource that I can bring to the table to work with him to bring some kind of investment in my district. But as of yet it hasn't been a priority and I will continue to be critical if not more critical of any other project that comes across Council on that respect. Because I think it has to be done fairly and equitably just like the job creation that we're talking about. I think we need to put their feet to the fire and hold them accountable.

The Chair:

If I could just summarize a little bit. For your information Scott Kunka is reviewing. We have two proposals that came back from our TIF legislation that basically Valerie and I know all Council supported, Mr. Hertzberg was reviewing it. We have a choice to decide on which RFP we will look at and choose. I want everyone's input so that we're 100% in agreement on who we chose to review the TIF's. It is basically right or wrong whatever has been done is done. I believe it's time to evaluate what we have done

and where do we go from here.

I think it is perfect timing what you said, Mr. Udin, where are the jobs? I can tell you what, if you can give me one day, I can find out how many jobs. You can talk to the seven or eight or ten TIF's we gave out, just pick up the phone and ask their personnel department how many jobs did you have before the TIF, after the TIF? Where are they by Zip Code? This would be a one-day job for anybody. So I don't know why our Personnel Department can't do it and can't show it. It almost sounds like the 50,000 jobs Mr. Ricciardi is talking about if that was true we would really be Boom Town U.S.A.

I believe it is time to evaluate it and let's be honest and fair about it. Whether we were right or wrong where do we go from here with the TIF? That's all I am asking. I can say you were 99% right what we have done in the past, where do we move forward so everyone is sharing in this success.

Mr. Udin:

If I could get a copy of the scope of work you may have sent that out and I missed it but I would appreciate seeing exactly what it is that we are asking the consultant to do.

The Chair:

If it isn't in there we want to make sure that the jobs and where they came from is part of it.

Bills are now ready for final action. All those in favor of the passage of the bills will vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor

(Pres't)

AYES **Eight** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

MR. FERLO PRESENTED:

Bill No. 1501:

Report of the Committee on Engineering and Construction for April 7, 1999, transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1443:

Resolution adopting an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters and/or environmental health hazards with sewage wastes, and to revise said plan whenever it is necessary to meet the sewage disposal needs of the municipality.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Udin:

When we discussed this plan of approval last week I asked the Executive Director to forward some indication of what plans were being made to integrate the Board of Directors of the Alcosan Authority, and I have not received any word from them regarding this. Therefore, I will be voting no on this bill. Not because I am opposed to the plan but because when Council asks for some information it should be forthcoming.

That is I believe one of the only major authorities in the city and the county that has absolutely no minorities on it at all and I think it ought to be taken seriously. This is a diverse city, our boards ought to reflect the diversity of the community and something ought to be done about it. So my no vote will be a vote to send a message to them that they have to address this situation.

The Chair:

I am sorry, your letter was a request for what information?

Mr. Udin:

Not information, yes it was a request. It wasn't a letter. It was a discussion at the Standing Committees Meeting. When I asked the Director to contact the members of the board, the leadership of the board, Mr. Roddey and whoever else was on the board to ask them

how long are they going to tolerate having an all white ALCOSAN Board? When are they going to put some minorities on the board? I wanted to know what their plans were? What steps are being taken? And have I not received any word from them regarding that and therefore I will be voting no.

The Chair:

I believe that is the responsibility of the Mayor and the Commissioners who appoint the board. Mr. Roddey doesn't -- with who is appointed.

Mr. Udin:

Yes. The question was what was the board doing to advise the Mayor on future recommendations so that it becomes an integrated board? The board has a lot to do with who is nominated to the Mayor and therefore who the Mayor appoints.

Mr. Ricciardi:

I believe Mr. Udin's comments are very timely because if I am not mistaken one, possibly two terms need to expire there. I see Mr. Ferlo is not here so it's his committee. I am going to take the liberty of making a motion to recommit 1443 until Mr. Udin gets a response. Thank you.

The Chair:

I will second that. Discussion?

Mr. Diven:

I am on the ALCOSAN Board and I can tell you just a response from myself. I don't know about any of the rest of the

board members but there were two vacancies that came up at the beginning of this year, and I can tell you I had no input or no influence as to who the Mayor or the Commissioners appointed for those positions.

But I would like to stress the fact that this plan is very important for ALCOSAN and it is important for our region. If we fail to pass this plan in a timely manner it will result in the DEP failing to give us any kind of development permits in the areas of construction that the City of Pittsburgh is currently pursuing.

I can definitely put a letter together to the Chairman, Mr. Roddey and ask him to respond to this. But I do think that we need to pass -- we need to move on this plan. It is an important plan and it has a potential to really tie up and delay a lot of investment in the City of Pittsburgh. But I will contact Mr. Roddey this afternoon and ask him to even call you directly and speak with you in regards to what his plans are for being an influence and providing more diversity on that board.

But I can speak as an individual board member when the last vacancies came up the Mayor never contacted me and the Commissioners never contacted me as to who I thought would make an asset to that board. I am sure that, I believe they didn't contact anyone on the board.

The Chair:

I believe I have to support your initiative there. This letter, with all do respect, Mr. Roddey has nothing to with who is appointed, we know that. This is a

political appointment. You have the Mayor and the three Commissioners. I understand one Commissioner had a couple of questions, remarks that you may not like responding to your questions. So these should be directed to the Mayor and the three Commissioners. Mr. Roddey sits on the board and at the will of whoever appointed him, the Mayor and the three Commissioners. So, I would strongly support you sending a letter to the Mayor and the Commissioners if there are two openings who they plan on picking.

Mr. Diven:

The point is that this is a very important piece of legislation and we need to pass it and it getting tied up --

Mr. Udin:

If it is that important, then they should have responded to the request.

Mr. Diven:

I can't make an excuse for them.

Mr. Udin:

It is apparently not important to them.

Mr. Diven:

The only thing I can say is I can give you a commitment that today I will contact Mr. Roddey and have him contact you by phone this afternoon to answer your questions.

The Chair:

I must emphasize Mr. Roddey has

nothing to do. I don't think the letter should be directed to Mr. Roddey. It should be to the Mayor and the three Commissioners.

Mr. Ricciardi:

I agree with Mr. O'Connor. Mr. Roddey is only what you guys decide who is here.

Mr. Diven:

I agree with that position. As I said before I was not consulted on replacing or vacancies on the board this year. But the point I am making is we shouldn't hold this piece of legislation captive over this argument because it has a potential to really hamper a lot of investment and a lot of development in the City of Pittsburgh. I think it would be unfair to the staff at ALCOSAN and the board members to make them accountable for something that is not their fault.

The Chair:

I know Council gets a lot of heat. Why we don't do something? Let's put the ball in the right court. It's not Mr. Roddey's at this time.

Mr. Cohen:

Mr. President, whenever a Council member asks for information and requests that information come before we make a vote at least in my experience we have given support to that Council member. I think this should be no exception of course. If Councilman Udin agrees that it really should go to the Mayor and Commissioners the people who do the appointing, then I think it should come

from this entire Council. I would sign on to that letter and ask that we get a response from the Mayor and the Commissioners. I didn't realize that there are potentially two vacancies on the board.

I didn't realize that. If so, this would be an opportune time for this entire Council to send a letter to the Mayor and Commissioners asking that a minority or woman be appointed to the board. Because I do believe that the ALCOSAN Board, just like any other public board or commission in this city should be a diverse board. I think Councilman Udin raises a very important point.

Mr. Udin:

If Council is willing to send such a letter, I am willing to withdraw the objection.

The Chair:

I am for it. We want to take a vote? All in favor of sending a letter?

Ms. McDonald:

The letter because of the diversity of the ALCOSAN Board which has traditionally been white male -- I know when I got on Council I addressed it back in 1994 why is it reviewed certain boards and theirs seemed to be a very politicized board, very politicized. Again there was opportunity before. I am glad to see there is opportunity now Councilman Ricciardi in bringing that information forward.

I would just urge that this Council body instead of just saying we want a minority, we want a minority and a female. If there are two positions, let's diversify to the max. Let's start okay? I mean I flush

my toilet too. So there needs to be a woman and there needs to be a minority to diversify that board.

The Chair:

Is there one woman on there or not? I think there is one female.

Mr. Diven:

There is one female.

Ms. McDonald:

Half the population is female and we all flush our toilets. So, again I think that if we can get another woman on there, another minority, two minorities on there. I urge that both appointments be to diversify the existing board. That is the only letter I am going to sign.

The Chair:

We will send a letter to the Mayor and the three Commissioners. With that, is there any other discussion?

Mr. Hertzberg:

Thank you. I am glad we could get over that issue. I think this legislation is important and it's not just important from the development standpoint, this is important from the environmental standpoint. This is important to do something for our environment, particularly our water systems, our streams and our rivers. Right now we have a terrible situation when we get heavy rains and we got them last week.

I can guarantee you that what went on last week our sewer lines because they

collect the storm water and sewage overflowed and the sewage went into our streams and our rivers. Part of that plan addresses the wet weather situation. We can't move fast enough to correct this problem.

So I hope we can finally get this done with a couple of years ago this thing came up it got held up for what I believe were political reasons then. I hope we can finally get over that and move ahead with this important bill.

The Chair:

With that said, the bills are now ready -- any other questions? Bills are now ready for final action. All in favor of the passage of the bill vote aye when your name is called; all those opposed vote no.

Clerk please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Udin	Mr. O'Connor
	(Pres't)

(Mr. Onorato and Mr. Ricciardi voted no.)

Bills have received the legally required number of votes and have passed finally.

The Chair:

Under motions and resolutions.

MOTIONS AND RESOLUTIONS

I would like to make a couple of announcements. We have a Public Hearing today at two o'clock concerning Bills 1311 and 1395 concerning residential planning and development.

Thursday at 10 a.m. we have a Public Hearing on Bill 1312 concerning Mayflower Street and property along that area. And Wednesday I want to make an announcement April 15th tomorrow the disparity study press conference at 5 o'clock and disparity study meeting will be at 5:30 in Council Chambers.

Mr. Cohen:

Thank you, Mr. President. I wanted to take a moment to commend the Mayor, the Director of Personnel, Barbara Parees and the Personnel Department for putting forward domestic partnership benefits as part of a collective bargaining negotiation with at least two unions. I think that what they're doing is the right thing not only is it the right thing morally but also the right thing in terms of productivity of our work force. We should ask ourselves a question why do employers provide benefits to employees at all? I think the reason is in order to keep employees happy and to make them as productive as possible.

So for the administration to be offering this to unions really is a step forward in terms of productivity of our work force. At the same time it put us in line with scores of other cities and counties and states around the country as well as with hundreds of private companies who have come to the same recognition that domestic partnership

benefits are the right thing to do and they increase the productivity of your work force.

I have been working on legislation for the non-union work force and we of course only have authority over the non-union, white-collar workers. I will be introducing that legislation soon to make it consistent with the proposal that has been made from the Department of Personnel. We need to actually see it in writing and coordinate our efforts with their efforts. But I would hope that with that City Council would join me in that legislation with what we would do in City Council and with what the administration is doing that hopefully very soon we will have the option for domestic partnership benefits throughout the city. It's the right thing to do, increases the productivity of your workforce. I want to congratulate Barbara Parces and also the Mayor who is ultimately responsible.

Ms. McDonald:

I join Councilman Cohen in the remarks and the accolades given to the administration for taking this stand and supporting what I would call monogamous relationships in family. I have said publicly that sometimes the realities are that certain situations may not look exactly like we want to see them but that's a judgment call. The bottom line is that there are different situations amongst people. That's a reality and as long as it is supportive of family values of some kind monogamy instead of just going helter skelter, I support that. I support people that are willing to engage in a real relationship.

There are many homosexual couples that have children that they are

raising. I think these children are growing up that this is their family whether you like it or not but they should be provided with health benefits. I wouldn't want anyone to not have health benefits. I believe health benefits basically should be extended to every person in this nation.

So if we can move in that direction, at least there will be a little more open minded. I again am all for it and I also commend Councilman Cohen for at least starting that discussion with impending legislation that will come from this Council body. I look forward to discussing the particulars of that legislation.

Mr. Onorato:

I am not going to comment on the merits of that but an issue came up and I want to ask Councilman Udin this. I thought it was very interesting to read that in the paper today, I thought we established about four months ago that any union contract that did not come out of binding arbitration had to be presented to this Council for approval? I don't recall approving any of these contracts and forget the issue for a second, the point I am trying to make, is when there is a significant change to a contract, this is something that we -- it was just blown over that Council doesn't approve.

The Home Rule Charter is very clear that Council should approve negotiated contracts. This is not binding arbitration it was negotiated through the Union and the administration properly. I just want to know is there a plan to bring it forward because the one said it was passed in January? And where does that stand because we had a memo from the Solicitor

who made it very clear that contracts shall be presented. We never see wordings of any contracts I thought we established this. Maybe the Law Department can respond by next week sometime. I would like to know where we stand on that issue.

Mr. Udin:

I think that Councilman Onorato is absolutely correct. We had this debate as you recall around the issue of the firefighters contract. The one clear distinction that I thought everyone agreed on was that when a negotiated contract it does not have the collective bargaining that it has to come before Council and that includes all contracts that are not subject to arbitration.

The Chair:

Also Mr. Cohen when would you be bringing this legislation forward?

Mr. Cohen:

Soon. In fact I would hope to do it at our next legislative session. And I will circulate it for all Council members. We have been working on it for awhile. I talked to Barbara Parees a couple of months ago about this. But I would accept any and all co-sponsors of the legislation. I would be happy to have it introduced by Council as a whole if that's possible.

The Chair:

I know I have looked at some and I believe a lot of them what Ms. McDonald is saying where you involve the whole family or parent or parents who have children still at home maybe the same old disabled handicap. A lot of those things I

would like to expect from the people it can serve.

Ms. McDonald:

I agree. I would like to see that too. That's the direction I am coming from is in terms of health benefits or benefits in general. There are family situations, extended family, cousins, grandparents, aunts forget about the heterosexual, homosexual issue. Let's just talk about families and households and that's why I think we need to focus on and if those other issues come into play then so be it. But again benefits need to be extended to family situations, something that we would like to see.

Mr. Cohen:

Why don't we certainly have a discussion at the appropriate time here? The problem is you extend it out, the more you extend it out the more expensive it becomes of course so we need to cost it out.

The Chair:

Before we get into some big news media thing. Looking at what I understand the unions are doing, from a media person, one of the unions has about 2 or 300 people, there were five people, five applied and maybe one would be eligible. So I believe if it adds another five to really make it a broad help families of different situations, it would really be beneficial and I don't think cost efficient. So I would like to look at that and also whatever these unions have negotiated with the city. Again, hopefully they send us a copy of it so we can look at it so it supports your legislation.

Mr. Cohen:

We're getting that right now. Everyone will have a chance to look at it.

The Chair:

I am glad we get it through the media. We always know.

Mr. Udin:

I am not sure for the first time since I have been on Council an Executive Order was received and filed. I don't know what the actual status of that is. My assumption is that Council has no ability to reject an Executive Order. But I wanted to comment on the Executive Order that was submitted by the Mayor's Office to Council today to be received and filed. I want to encourage my colleagues and the public to read that Executive Order very, very closely.

It actually I believe takes us a step backward from where we are now rather than taking us a step forward. It actually freezes the city journeymen, the percentage of city journeymen who are on city public projects. It freezes that percentage at the percentage of city journeymen currently in union membership. The very reason why we are discussing this thing about jobs for city residents is to increase the percentage of city residents on city jobs not to freeze it. And this Executive Order that we have been asked to receive and file today does that.

In addition it reports to help minorities and women to get into the building trades and there are associations made with the Plan B construction

exposure that is being made. But the minorities and women that are being referred to the construction industry, number one the percentage has been decreased from 35 to 25. And secondly, the percentage of minorities into the apprenticeship program does not deal with the apprentices who are on construction sites in Plan B or in Pittsburgh. It deals with apprentices who are dispersed all over the Western Pennsylvania region. When you look at the entire apprentice enrollment on those Plan B projects, it disperses them throughout the whole region.

So who is it that will be working on these stadiums to build the stadiums and why is it that Pittsburgh residents cannot have the same advantage and opportunity to work on Pittsburgh projects as people from Cranberry Township? That is the problem and that is what this Executive Order supports. The Executive Order was written and is influenced by the suburban union leadership of the building trades and it actually misses the important role played by the contractors in deciding who gets a job and who doesn't get a job. As you read this Executive Order, it will go on and on and on about what the unions are going to do but it does nothing to say what the contractors will do.

The Unions don't hire one single person. The contractors hire them and it is the contractors who have to be held accountable. It is the contractors who sign on that contract with the city not the unions. We have missed the boat completely in terms of what the contractor's role is. At least this Executive Order misses that boat.

Let me finally just mention that

this coming Thursday is the second of two special meetings of Council, Post Agenda meetings of Council to discuss Pittsburgh works legislation.

There have been two editorials by the Post Gazette both of which who oppose Pittsburgh Works based on the erroneous legal opinion submitted by the administration. And this Thursday we are scheduled to discuss the legal constitutional aspects of this bill. I want to thank Council President O'Connor, Councilwoman McDonald and Councilman Ferlo for attending and staying throughout the important discussion that we had last week. The discussion that we are having this Thursday is equally important. It may even be more important because the primary reason that colleagues have been given for why they are renascent to support Pittsburgh Works is because the legal opinion of the administration says that it is unconstitutional.

Well we are going to have that constitutional discussion this Thursday. We are going to have people here who are constitutional scholars who will tell us whether or not the legislation is unconstitutional. So I hope that at least colleagues will find this discussion important enough and find the opportunity for employment of city residents important enough to require their presence at the meeting and their staying for the meeting throughout the duration. It is a very important issue that we have to discuss here and a very important matter that we have to decide here. It is whether or not the residents of the city of Pittsburgh will have a fair opportunity to earn income for their families the same as suburbanites when we are talking Pittsburgh Works that

is supported by tax dollars.

I can't think of anything that we have discussed in a long time that is more important. I hope it is important enough for colleagues to attend the Post Agenda meeting Thursday at 2 p.m. Thank you, Mr. President.

Ms. McDonald:

To Councilman Udin I will be there on Thursday. I changed my schedule around last week to make sure that I am there to support you in the Pittsburgh Works legislation. I will be there this Thursday. I just have a housekeeping issue.

This is scheduled for Thursday, April 29th at ten o'clock a.m. a Post Agenda as continued discussion of NBE/WBE financial opportunities and this will be with lending institutions. I want to make a motion to cable cast.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Along with that, Ms. McDonald, I would like the same motion to cable cast the post agenda at 2 o'clock April 28th the day before discussing the Y2K city compliance issue.

MS. MCDONALD so moved.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

Thank you. I had the opportunity last night to attend a meeting in the Elliott section of the city in my Council District that was held by PennDot. About a month ago I received word that there were going to be some major detours involving the West End Circle. And last night was the community meeting held by PennDot to inform the community about that. And it all relates to the work that is inevitable that has to be done with the Fort Pitt Bridge, Fort Pitt Tunnel and various ramps. And I believe that work is necessary and I am certainly willing to share in the detours and have to put up with that. There is just no avoiding it, it has to get done.

What they're doing is they're going to close down a couple of different entrances to the West End Circle. This will be on April 29th everyone needs to be aware of the situation. It could last as long as 90 days beginning April 29th. If I were to take my normal route home during this time period and go down West Carson Street and try to go up to the West End Circle to go to Steuben Street, I would be detoured. I would not be able to do that. I would be redirected over the West End Bridge, over the Ohio River, onto North Side and then redirected in a loop back over the West End Bridge and then allowed to go around the 90 degrees of the West End Circle. I need to go around to get on Steuben Street.

Also the Steuben Street ramp if you are heading on 51, I am sorry not on 51 on Steuben Street and you want to get onto 51 you will not be allowed to make that movement at all. You will not be able

to enter the West End Circle from Steuben Street. So we have a real problem going on there with the traffic beginning April 29th. But one I think that we need to deal with but we have got another problem that I really don't think we need at this time and a lot of plans were made in conjunction with this state road work that's being done.

One of the big ones that was going to mitigate this problem was what was called the airport bus way/Wabash HOV phase one project. This was all going to be done in time for the closure of the Fort Pitt Bridge and Tunnel and that project has been scaled back to a degree that is unacceptable to me. I am going to continue to fight the problem with that. But you know while PennDot was going to happen and that the county was working with them the Port Authority was working with them to do its share. In fact Allegheny County and Port Authority has done just the opposite. They have thrown a wrench into the whole thing. When they abbreviated the bus way and decided that it was going to end on Carson Street just outside of Corliss Street Tunnel that has thrown a wrench particularly into what is happening here. Because the detour, probably the most logical detour for those that are going to be traveling to the neighborhood of the west rather than go over the West End Bridge and come back and use the circle is to continue. You will still be able to continue on Carson Street and then go through the Corliss Street Tunnel and you can get to the same place.

However, the Port Authority when it decided they were going to shorten the bus way and bring it down onto Carson Street has actually started that project. They closed Carson Street one lane of Carson Street, so you have got two lanes at

that point and it is really going to bear all the detoured traffic. So we have a real nightmare on our hands in the west coming on April 29th.

But the good side of it and I have got to blame this on our county government and the Port Authority. There is no where else to lay the blame here. I have been talking about this problem for the last couple of years and no one over there gets the message. Maybe they will get the message this time because the closure starts April 29th and it is going to run through Election Day. So if they don't get the message any other way, they will get it on Election Day.

This is a big problem I have asked and I have asked and I have asked and you talk about the new level of cooperation between the city and the county well it is not this member of the city. It apparently is some other member, not me. I have gotten no cooperation whatsoever with this bus way. And maybe the message will be heard on Election Day when we feel this pain and we have to deal with this ridiculous \$330 million waste of money for a bus way that starts no where and ends no where.

The Chair:

Let me ask you a dumb question. Since I have been on Council they were going to close the Fort Pitt Bridge. It is almost eight years later, is there a date yet set for that? I mean presuming everything is supposed to be done before that.

Mr. Hertzberg:

The upper deck, which is the inbound tunnel and inbound bridge going

if you were leaving the airport and you wanted to come to downtown, in 2002 the work will be done there. The other direction, going from downtown out to the West that's the lower deck and outbound tunnel will be in 2003.

The Chair:

So the West End Circle will be complete the new bridge will be complete by then?

Mr. Hertzberg:

No. No it won't.

The Chair:

Let me give you, I just last Sunday I had to run somewhere and usually Sunday I have to run somewhere and usually Sunday is no traffic. I have a cardinal rule, I never go on the parkway, I always go through Schenley Park. But on a Sunday afternoon, nice day I decided well I can zip down the parkway. Well it was backed up. PennDot was doing some work and again no traffic except all backed up getting onto the parkway. They had a stop sign because only one lane was inbound, no traffic cops. If a cop was there everything would have zipped through like nothing. Luckily in Pittsburgh we are fairly courteous. I can't say we're as courteous as we used to be but at least we have people letting each other in.

I would certainly ask one of the leaders in the county or PennDot whatever work is being done over there, if you put a traffic cop at every light and intersection, at least you can move the traffic a lot better. That should be a priority on almost

all of our construction work whether it be weekends or not. Again, one of the days coming through the Liberty Tubes a couple of months ago there wasn't a cop on a Saturday and it was backed all the way into town. Its just we need that extra support. We spend millions and why inconvenience everyone.

Mr. Hertzberg:

We have been promised that there will be a police officer directing traffic at the circle. With the Port Authority work on Carson Street at the initiation there was not a police officer, we requested one, received one and traffic moved pretty well. Now within the last week though we don't have a police officer, particularly during the evening rush hour. The road backs up usually all the way from the tunnel to the West End Bridge during rush hour because it has been shut down to just two lanes one in each direction at that point.

Also I want to mention if you have any questions on these various detours that will begin in the West End Circle on April 29, the gentleman who spoke last night and he is taking a lot of heat, I feel bad for him, but that is his job. His name is Victor DeFazio, he's the Assistant District Traffic Engineer for Pennsylvania Department of Transportation, telephone number 429-4969.

The Chair:

We will have the stadiums all built just in time for the bridge to close. We look forward to it. Any other discussion on Council? Hearing none we need a motion to approve the minutes.

MS. MCDONALD moved to approve the

minutes.

MR. DIVEN seconded the motion.

Which motion prevailed.

MR. HERTZBERG moved to adjourn the meeting.

MR. DIVEN seconded the motion.

And on the motion made by Mr. Hertzberg, the Meeting adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXIII

April 20, 1999

No. 16

Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, April 20, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

All please rise for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

We have two special guests with us to do the pledge, Brittany McNeill in the first grade she lives in Homewood and she attends Linden Elementary School. She's here with her mother Andrea and we have JD Moore he is in the first grade also. He is at Linden School and he lives in Park

Place. He is here with his mother and dad, Jim and Amy. Please lead us in the pledge.

Brittany McNeill and JD Moore:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all.

The Chair:

JD and Brittany I think you two really practiced. We have a little gift for you.

Thank you very much.

PRESENTATIONS

Mr. Ricciardi:

Thank you. Mr. President, the following resolution is sponsored by all members of Pittsburgh City Council and I would like our honored guests to please come forward. We have with us Lydia Valanti, who is the Senior Interests Program Supervisor, also Nora Jackson who is the Observatory Hill Center Director and some senior volunteers, Anne Likarevich, Mary and Regis Cerny. I would like to ask Mr. Onorato if he could please come forward since he represents the senior center that is with us today.

**MR. RICCIARDI AND ALL
MEMBERS OF COUNCIL PRESENT:**

No. 1502 WHEREAS, The 13th Annual Citiparks SeniorInterests Volunteer Gala will be held on Wednesday, April 21, 1999 at the Sheraton Hotel at Station Square.

WHEREAS, The Gala is sponsored to recognize the contributions of more than 800 volunteers who have contributed more than 115,000 hours during 1998.

WHEREAS, Citiparks SeniorInterest Program Volunteers contribute in 30 job/service descriptions including: Advisory Council Member, Advocacy Council Delegate, Instructor for Recreational and Educational Classes, Outreach Assistant, Trip, Bingo and Party Coordinators, Center Maintenance and Shopping Assistant.

NOW THEREFORE, BE IT RESOLVED THAT the Council of the City of Pittsburgh hereby declares Wednesday, April 21, 1999 as Citiparks SeniorInterest Volunteer Day throughout the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Also on a professional and personal note, Lydia has done just a marvelous, fantastic, great job in organizing this event. All the seniors as you know have a great day in recognition of their hard work and volunteer services throughout the year. But Lydia you

continue to do a fantastic job and just serve a nice lunch and recreation.

I am going to ask Lydia if she could please come forward and all City Council we look forward to being with you tomorrow. Thank you.

Ms. Valanti:

Hi. I want to thank Councilman Ricciardi and Council for this honor for our volunteers. Our volunteers are a very important part of our program. We really couldn't operate as efficiently as we do without them. And tomorrow we are having a gala, we are honoring 600 people will be there. We have more than 800 volunteers in our program and I certainly hope that all the Council people will attend.

We are very fortunate to have so many wonderful, talented and dedicated volunteers in the SeniorInterest Program. I would really want to extend a thank you to them and thank you again, Council. Thank you.

Mr. Ricciardi:

I would like to ask our colleagues if you could please come forward. There is a senior newspaper that I am going to ask this picture to be published in so if you could please come forward. Thank you.

The Chair:

While we are lining up, I just want to repeat because the average person doesn't go to this. There are 600 volunteers that you're honoring and that's fantastic. We are very fortunate in Pittsburgh to have all of you and all the work you do.

Mr. Ricciardi:

Matter of fact there are 875 volunteers all together. Unfortunately 275 couldn't be with us.

Mr. Udin:

Could we have all the representatives from Freedom Corner to please come forward? I want to thank all of the members who are present with us today who are part of the Freedom Corner Committee. And they have been working to establish this monument at the corner of Crawford and Center as a symbol of not only the historic civil rights and human rights struggles that have occurred in Pittsburgh and in the Western Pennsylvania region, but it also acts as a symbol of the revitalization of the Hill District. And it is important to me especially, personally because the effort to build this monument at Freedom Corner was initiated by Councilman Jake Milliones, my friend and predecessor, who reserved a plot of land at the corner of Crawford and Center for the purpose of erecting a Freedom Corner monument.

This Sunday we will be doing a groundbreaking at the corner and we will start construction immediately after that. The Urban Redevelopment Authority has the land and will be transferring that land to the Hill District CDC and the URA has been very, very helpful in making this possible. I want to thank them publicly.

Also the architect is here, Howard Graze a very talented young architect in the city who has joined forces with one of the areas most talented artists Carlos Peterson. They together have designed

this monument which will be both an architectural and artistic marble. We want to thank them for making their talents available for this as well.

The backbone of the movement for human rights and civil rights has always been the African American church and we have with us Reverend Monroe from Grace and also Reverend Gracen (phonetic) from Wesley Center. The fundraising has been going on for about a year to raise the funds to erect this monument and Estella Smith from Duquesne Light is the chairperson of that committee.

Also working with the committee is Detective Brenda Tate and other members of the committee as well. Who am I leaving out? Did I get everyone, Lois Kane is a very important member of the committee who attends all the meetings and helps us to move forward, Neal Locus is also present representing the Hill District CDC.

We started a tradition last year of an annual Torch of Freedom Award and last year we gave the award to Attorney Byrd Brown. This year we are pleased to announce that Bishop Donald Wuerl will be presenting the second annual Torch of Freedom Award to Monsignor Charles Owen Rice. So all members of Council are invited to attend.

We will be starting a march from the Martin Luther King Center on Harron Avenue to Freedom Corner at two o'clock if you're up for the march you can join us there. If you got bad feet then perhaps you can join us at Freedom Corner at about three o'clock at Crawford and Center.

So I want to read this

proclamation.

**MR. UDIN AND MS. MCDONALD
PRESENT:**

No. 1503 WHEREAS, on Sunday, April 25, 1999 the Freedom Corner Committee will break ground on the historic corner of Crawford Street and Center Avenue more popularly known as FREEDOM CORNER; and

WHEREAS, Freedom Corner represents a two-century long struggle of Western Pennsylvania's African American community to secure equality and opportunity; and

WHEREAS, in the early 1950's Hill District residents drew a line in the sand and refused to allow further demolition of their homes, churches, and businesses by the City's urban renewal plans and erected a billboard on Crawford Street and Center Avenue proclaiming that City Hall and the Urban Redevelopment Authority engage in "NO REDEVELOPMENT BEYOND THIS POINT!;" and

WHEREAS, the residents of the Hill District stood their ground and eventually held back City Hall and this site became the symbol of civil rights and human rights movements for citizens throughout the region; and

WHEREAS, Freedom Corner became the rallying point for local marches protesting discrimination in labor unions and corporate hiring reflecting Dr. Martin Luther King, Jr's commitment to non-violent protest.

WHEREAS, Councilman Jake Milliones, who pioneered the building of Crawford Square and the revitalization of the Hill District, reserved a plot of land at the corner of Crawford Street and Center Avenue and initiated the effort to erect a monument to Freedom Corner; and

WHEREAS, as a part of the Freedom Corner groundbreaking ceremony, Bishop Donald Wuerl will present the 2nd Annual Torch of Freedom Award to a life-long warrior for Freedom and the rights of workers and all human beings, Monsignor Charles Owen Rice.

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh congratulates the Freedom Corner Committee on this historic groundbreaking event.

MR. FERLO moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Udin:

I would like to invite Dr. Stella Smith to join us and also I would like to ask Dr. Monroe if he would follow Ms. Smith in providing a few words of reading.

Dr. Smith:

Thank you, Councilman Udin. Good morning to Council members and guests of the proceeding. I am very pleased to participate in this effort in erecting this monument. I am however compelled to say this is an interracial effort. It is not just African Americans

who are involved in the attempt to build a monument that says something about the progress in Pittsburgh and in our entire country.

We have an 80 member interracial committee. Unfortunately none of the other minority are here this morning but I can assure you this is not just an African American effort for the African American community. This is for the community of Pittsburgh, for the region it is something that we can look at and remember although some of the times that we remember are not very appealing.

We can also rejoice in the fact that things have changed considerably, that we are not in the same position that we are and were years ago when certain things were not available to the African Americans in this community. We can all appreciate that what is good for one is good for all. And unless we're all enjoying what is available to us in this community none of us will fully enjoy our community. Thank you and for all of you who are here we welcome your commitment to this and we certainly welcome your contribution to it. Thank you.

Dr. Monroe:

Thank you, Mr. Udin and members of Council and to all of us present. I think when we began to look at the history of freedom and justice in this country especially as it relates to the African American community we know that the African American church has always been in the forefront. When we began to talk about freedom we think of preachers such as Martin Luther King. If we talk about economic development and community development we have to talk about a man

like Dr. Leon Sullivan. When we talk about those who have always been engaged in the struggle we go to New York City and we find a man like Minister (inaudible) Flake (phonetic).

So we know that the church has always been active in the community and the church remains an active part of the community. And so it's a privilege for the ministers of the Hill District and ministers from across this city to join with Mr. Udin and other members of this committee in erecting the monument. So that we will always remember that if we are going to have freedom we must always remember our history, where we have come from and then we can always talk about where we are going.

So we thank you for this and we invite you to come and continue to walk with us and as we walk for freedom and justice for all of God's people.

Mr. Graves:

Members of Council, Council President, Sala Udin, this is indeed an honor here today to hear this proclamation. Clearly it is evident that Dr. King's vision for freedom has been heard, let freedom ring. Clearly this is an opportunity for celebration within the Hill District and surrounding communities. Before it is an opportunity for not only spiritual uplifting but for I think renewing all of our consciences to the movement of freedom and what it represents.

Carlos Peterson I think was very instrumental in representing that conceptually from a design standpoint. You have to see it. I want all the members to show up to see that -- I am not talking

about the groundbreaking. Hopefully if you got good feet like the Councilman said you will show up for that. But ultimately the final product should be something that we all embrace and I think it will be beneficial for all to see and celebrate in that. So thank you again for this proclamation and inviting us here.

Mr. Udin:

Also I apologize for excluding to mention the important role that youth are playing in this Freedom Corner monument. We also have a passing of the torch event that will take place at Freedom Corner where some of the veterans like Selma Lovit (phonetic) and some of the older veterans older than myself will pass the torch onto younger ones. Glenda Mayo is here from the School District who is helping us to organize the youth component of the activities.

So it's going to be a very exciting day and I hope all members of Council will be present and certainly the public is invited as well. Thank you.

Mr. Diven:

At this time I would like to call up the group that's here with the Week of the Young Child. We have some children here from Saint Paul's Preschool, Emanuel's Preschool and Elizabeth Seton Preschool.

Joining us to today we have a group of children accompanied by Sister Barbara Ann from the Elizabeth Seton Center, Staca Swanson who is the Co-President of the Pittsburgh Association for Education of Young Children, Joan Dawson who is Co-President, Cindy McCauller, Chair Person of the Week of

the Young Child Committee and Sue McKelney, Chair of Saint Paul's Preschool and Diana Patton who is the Assistant at Emanuel Preschool. With that I want to read the proclamation that we will be presenting today.

MR. DIVEN PRESENTS:

No. 1504 WHEREAS, the Pittsburgh Association for the Education of Young Children and other local organizations, in conjunction with the National Association for the Education of Young Children, are celebrating the Week of the Young Child from April 18th through April 24th, 1999 and;

WHEREAS, by calling attention to the need for high-quality early childhood services for all children and families within our community, these groups hope to improve the quality and availability of such services and;

WHEREAS, the future of our community depends on the quality of the early childhood experiences provided to young children today and;

WHEREAS, high-quality early childhood services represent a worthy commitment to our children's future.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby proclaim April 18th through April 24th, 1999 as "Week of the Young Child" in the City of Pittsburgh and does hereby urge all citizens to recognize and support the needs of young children in our community.

MS. MCDONALD moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Diven:

I would like to call up someone who works in my Council District providing opportunities in high quality services to young children, Sister Barbara Ann. So if you want to come up and make some comments about the group and introduce the rest of your guests that will be great.

Sister Ann:

I would like to take this opportunity to thank City Council for recognizing the young members of our community. This is our future and we're in the business of building a future. This is where it is right here.

I would like to introduce Joan Dawson who is the Co-President of the Pittsburgh Association for the Education of Young Children.

Ms. Dawson:

Thank you, Sister Barbara Ann.

I am Joan Dawson, I have been associated with Saint Paul's Preschool in the North Hills for 25 years as a teacher I have been a teacher and an administrator. I have with me today two of our students, Max and David, who along with their siblings represent 16 years in our center.

We also have one of them, David's mother, Sue McElhaney, who is the Chair of our Committee, our governing for Saint

Paul's Preschool. We're happy to have them with us.

I am the Co-President of PAEYC, which is an acronym for the Pittsburgh Association for the Education of Young Children, which is the largest membership organization of its kind in Western Pennsylvania. I would like to thank Councilman Diven and all the Council for honoring and recognizing not only our organization but in doing so you are recognizing the children and parents with whom we work.

Thank you very much. And I would like to introduce Stasha Swanson who is our other Co-President now.

Ms. Swanson:

I just want to thank you for inviting us and allowing a representative of around 20 children that just represent thousands of children in the City of Pittsburgh who are in childcare and preschool and have needs that need to be focused on this week during the Week of the Young Child. And I brought my whole class today and so they're here and they are glad to see the City Council at work.

Ms. McAlaire: (phonetic)

Hi, I am Cindy McAlaire and I am the Chair of the Committee of Week of the Young Child. I would like to thank you, Councilman Diven, and the rest of Council for honoring us with this proclamation.

Our association is made up of about 900 members and it represents people who work in the childcare field. There are over three counties represented, Westmoreland and Allegheny and Beaver

County, and we have a few scattered in Fayette and some of the other places. We represent hundreds of programs across the county that work with young children. So we are a large organization.

We are working to unite with some other organizations in the area that work with children so that we can start to really focus the needs of children and families. Childcare is a very hard thing to find that is affordable and accessible to families. I would encourage you to keep that in mind as things come before you if you have young children of your own, you know what that's like. I would encourage you to also think about the people who work with the children.

This is just I am really proud to be here representing the young shining faces of our future and the people that work with them who work hard work for low wages. I just had to get that one in and work hard to provide quality childcare for the people of our community.

Thanks.

Mr. Diven:

I would like to commend all of you for the really important work that you're doing. I think everyone knows the trend in our country with the predominance of single families and with two working parents. The importance of providing quality services and educating children is tandem out to us remaining together as a society and this work often goes without praise. And it should be praised and we want to thank you for the work that you guys put in day in and day out for giving opportunities to these kids to be successful.

Child:

I really like school.

Child:

I really like school.

The Chair:

Thanks for coming down.

Would the international visitors please come up? We're honored today to have 11 visitors from across the world who are visiting Pittsburgh. They just spent a couple of days in Washington. They're here for three or four days and they will be going to Bolder, Colorado, I think from here part of an international visitors program that I see is 40 years old in Pittsburgh.

So welcome on behalf of all of my Council members and everyone in the city we want to welcome you here and hopefully you enjoy your stay. I will read the resolution to you.

MR. O'CONNOR AND ALL MEMBERS PRESENT:

No. 1505 WHEREAS, the Pittsburgh Council for International Visitors Program was founded in 1959 to develop understanding among peoples from different nations and cultures of the world by providing contact between international visitors and the people of Western Pennsylvania; and,

WHEREAS, the Pittsburgh Council for International Visitors

Program's mission is to promote cultural, educational and cultural; and,

WHEREAS, the Pittsburgh Council for International Visitors is the local liaison organization for the International Visitors Program is hosting the Foreign Service Nationals, a division of the United States Information Service; and,

WHEREAS, the Foreign Service Nationals are foreign nationals who provide information about the United States, including exchange programs, to individuals in their home countries; and,

WHEREAS, each year, the United States Government invites groups of Foreign Service Nationals to the United States to learn more about our country as well as the various exchange programs that the United States Agency offers, including the prestigious International Visitors Program.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Pittsburgh Council of International Visitors on their ongoing effort to promote understanding; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby welcome the members of the Foreign National Service and declare April 20, 1999, as "Foreign Service Day" in the City of Pittsburgh.

MS. MCDONALD moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

We have Mrs. Murray Whitman is the coordinator but I believe the speaker Abden (phonetic)

Abden:

Usually it is much easier to say abdomen. It is Abden. I am from (inaudible). My colleagues are from different parts of the country some of them notable countries like Jordan we have the United (inaudible), Sweden, Canada, Poland, Korea, Argentina, (inaudible). I should say we welcomed the United States Ambassadors out there.

We are in the public diplomacy department. We deal much with your information and cultural programs. We should say we are very happy to be in Pittsburgh. The PCIV has done a wonderful job and we have enjoyed ourselves. We are also grateful to be here this time to be part and participate of your meeting and thanks very much.

The Chair:

Anyone else want to say something? Thank you.

We have a couple more to be read and adopted.

MS. MCDONALD PRESENTS:

No. 1506 WHEREAS, the Third Annual Best Friends Recognition Celebration and Dinner will be held on Wednesday, April 21, 1999, at the Sheraton Hotel, Station Square; and

WHEREAS, Best Friends is a premier youth development program that promotes abstinence from sex, drugs, and alcohol through fun, upbeat messages and activities. Founded in 1987 in Washington, DC public schools by Elayne Bennett, Best Friends has helped hundreds of girls nationwide; and

WHEREAS, Best Friends began in the Pittsburgh Public Schools in 1996. Currently, there are over 180 Best Friends girls from Allegheny, Arsenal, Knoxville, and Reizenstein Middle School. Best Friends is most grateful to the Allegheny Foundation for its support; and

WHEREAS, there are six main components of the Best Friends program, which include: Curriculum Group Discussion, Weekly Fitness Classes, Mentoring Meetings, Role Model Presentations, Cultural Activities, and Community Service. Combined they work together to create a strong positive network which support happy and healthy living adolescent girls.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Best Friends of Pittsburgh for caring and sharing love and self-respect to young girls at an impressionable age so they may grow into beautiful self-respecting women.

Also,

No. 1507 WHEREAS, on Thursday, April 15, 1999, The Pittsburgh Job Corps Center Community Relations Council will host their 26th Annual Scholarship Dinner and Auction at the Sheraton Hotel at Station Square; and

WHEREAS, The Pittsburgh Job Corps Center will honor the following persons for their dedication and service: Sonia Chopra, Geeta Chopra, Angela DaCosta, Tanisha Hill, Sherwin Phillips, and Tiffany Willis; and

WHEREAS, The Pittsburgh Job Corps opened in January 1972 to 200 men. It currently serves approximately 800 young men and women. It is operated by Res-Care, Inc. in conjunction with the AFL-CIO Appalachian Council, Inc. and the International Union of Operating Engineers; and

WHEREAS, The Pittsburgh Job Corps offers the following vocational trades: Auto Body, Business Office Technology, Building/Apartment Maintenance, Heavy Equipment Operator and Heavy Equipment Mechanic. In addition, more than 382 students who participate in the Off Center Training Program attend Community College of Allegheny County; and

WHEREAS, The Pittsburgh Job Corps Centers' goal is to enable students to maximize their potential and become productive, respected citizens in our society.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends The Pittsburgh Job Corps Center Community Relations Council for their efforts to educate and communicate with the youth of today.

Also,

No. 1508 WHEREAS, on Thursday, April 29, 1999, the Pittsburgh School for the Creative and Performing Arts will celebrate its 20th Anniversary at the Manchester Craftsman's Guild; and

WHEREAS, artist Thaddeus Mosley will be honored for his contribution in the field of visual arts. Albert French, author of Billy, Patches of Fire and the recently released I can't Wait on God, and whose writing has been compared to Zora Neale Hurston and Richard Wright, will be honored for his contributions to the literary arts. Dr. Marion Barnett, will be honored for her contributions to the discipline of dance. Dr. Ken Gargaro, who will be honored for his contributions to theatre arts, is president and founder of Gargaro Productions, a non-profit company committed to the education of youth, quality affordable musical theatre, and to the support of local talent. Music honoree, Sumner Erickson, teaches at Carnegie Mellon University and has been a Principal Tuba of the Pittsburgh Symphony Orchestra since 1981; and

WHEREAS, the evening finale will include a special performance by CAPA students honoring their predecessors and students of the future. The event will also celebrate CAPA's future, as plans come to fruition for the school's new home in the downtown cultural district.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends the Pittsburgh School for the Creative and Performing Arts, CAPA, for their continuous efforts in educating the public on the importance of the Arts.

**MR. UDIN AND MS. MCDONALD
PRESENT:**

No. 1509 WHEREAS, April is nationally acknowledged as "Cancer Control Month." The National Cancer Institute (NCI) has designated April 18th through April 24th as National Minority Cancer Awareness Week; and

WHEREAS, The Pittsburgh Cancer Institute has initiated an African American Cancer Program which emphasizes the concepts of cancer prevention, early detection, diagnosis, and education; and

WHEREAS, Minority Americans, including African, Hispanic, and Native American, experience higher incidence and mortality rates from several of the major cancers such as cervical, breast, prostate, and lung cancers. This is in part due to the fact that this cancer is often detected when the disease is already advanced. Chances for survival are greatly reduced when the disease is found in its later stages; and

WHEREAS, The goal of this week is to increase awareness and knowledge of cancer prevention and detection in minority communities; and

WHEREAS, The survival rate can increase with the availability of services for preventive care and screening exams.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh commends the Pittsburgh Cancer Institute for its outreach and community efforts in educating the Minority Communities.

MR. O'CONNOR AND ALL MEMBERS PRESENT:

No. 1510 WHEREAS, since 1865, St. Francis has been healing the body, mind and spirit of all in need; and,

WHEREAS, St. Francis Health System is a large and comprehensive health care network in Western Pennsylvania and includes St. Francis Medical Center, the regional referral teaching hospital, St. Francis Hospital, St. Francis Nursing Center as well as St. Francis Hospitals, Nursing Centers and Health Centers throughout Southwestern Pennsylvania and Southeastern Ohio; and,

WHEREAS, the 12th Annual Courage to Come Back Awards Campaign, sponsored by St. Francis Health System, honors community individuals who have overcome devastating illness, injuries or economic misfortune to lead productive lives; and,

WHEREAS, the awards dinner is being held Saturday, April 17th at the Sheraton Station Square and hosted by Program Chair, Pittsburgh Steeler and Courage Awardee, Rocky Bleier and Liz Miles of WTAE-TV; and,

WHEREAS, the awards dinner raises money to help pay for the care of St. Francis patients who cannot afford necessary treatment. All dinner proceeds help to offset the costs of the free care provided annually by the St. Francis Health System in fulfillment of the Health System's mission of providing health care to all in need regardless of their ability to pay; and,

WHEREAS, the 1999 Courage to Come Back recipients are:

Lisa Burbidge
Eleanor Castine
Diane McHirella Elliot
Robin "Rob" Stemple
Edward "Bruce" Maxwell, and
Mary Lyn Caldwell

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend this year's Courage to Come Back recipients for their dedication and commitment to overcome adversity; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby commend St. Francis Health System for their ongoing devotion to the community and declares April 17, 1999, "Courage to Come Back Day" in the City of Pittsburgh.

MS. MCDONALD moved to adopt the resolutions.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Now move to public comments. Anyone wish to address Council for three minutes please do so now and give your name and address for the record.

PUBLIC COMMENTS

Ms. Brown:

My name is Yvonne F. Brown. I live at 2633 Brackenridge Street that's Pittsburgh 15219. I live in the Hill

District. I came to address the meeting this week because of the way that the meeting was abruptly stopped. I did not understand why it was so, but the reason I came was I come every week because people in the community tell me to come before the Council and try to explain to you how we are feeling and in the conditions that we are living.

Now I was talking to one of the elders after this meeting when the President O'Connor slammed that gavel down and abruptly ended it. And I didn't understand and when he told me that I wasn't allowed to ask questions. I was speaking to one of our elders at my community and I was saying I was really disturbed because I have been to these meetings. I have seen where people have asked questions and it has been almost like a round table of Councilmen and woman answering these people but when I ask the questions I was abruptly cut off.

My question was like when I saw Greenfield received five or \$6,000, in the Hill District the area I live got one or two. So the elder said to me and I am going to tell how she said it to me, what district did you say? I said Greenfield she oh, oh, oh, that was Mr. O'Connor's. Quite naturally he was going to stop you when you were trying to question why there was some inequity, why did one district get more than the other?

She also spoke about you, Mr. Ricciardi. She said that the way you answered me was disrespectful and it appeared that if your eyes could have shot me I would have been dead. The reason, what I was asking about you were insisting that the children must pay to go to the public swimming pools when last year you

said no and then this year you dug it up and you changed. Now I approached you as you walked out I talked to you because, Mr. Ricciardi, you told me a lie. You changed. You were very cordial there, but when I asked you a question here I get slapped up.

I come because the people in my community say come. I made a statement about the Pittsburgh Public School Board. I told you I had started a paper where it was the concern parent. I want you just to read when I say that they allocate money according to what race and what area. In 1996 the decision was made to remove the white students out of the (inaudible) Middle School located in the Hill District. 2.5 million dollars was spent to build the middle school for these students, \$10,300 was spent on tact board and chalk in the new school. The new books and instruments were purchased, the staff of the schools were provided at the expense of all other schools in the district. This new school called South Hills Middle School only had five black children yet in Homewood and Belmar Elementary School. We had our black children had to wear coats.

Now my time is up and Mr. O'Connor will snap me up if I don't stop. But I will be back next week because I need you to understand that you are discriminating against some of the neighborhoods.

Thank you for the time and have a nice day.

The Chair:

Thank you. Any more comments from the public?

Mr. Snyder:

Good morning. My name is Mark Snyder. I am a resident of the 31st Ward, 1426 Mifflin Street, Pittsburgh 15207. I am President of the Fraternal Association of the Professional Paramedics. I wasn't going to speak, but I think I would like to address one quick issue that will be on your agenda today.

The motor medic issue, the Pittsburgh Paramedics support this. This is a new concept that was just recently brought to our attention. As far as paramedics responding quickly with a paramedic on a motorcycle, this is a plan that actually we started and actually volunteered about ten years ago with the beginning of the races with the marathon. A lot of the paramedics had volunteered to use their own motorcycles to follow and catch people quickly when they go down. Sometimes older folks have bad hearts, don't know it and try to run these races and you know the problems that have turned out in some of the races where actually some of the people have went into cardiac arrest and the paramedics were able to bring some back.

This is an important issue. The media has turned it into a firefighter issue. I can just tell you that we as the paramedics think anything that makes us quicker to get to people's homes with the proper IV's, defibrillators, the mechanisms that make people breathe better and save lives is always important for us. We care about the citizens and we commend Councilman O'Connor and Diven for this issue and we do like the ideas of having the motorcycles available.

I don't know if it works on a daily basis, again that's something the concept will have to be discussed. But again, for the major issues like the Fourth of July trying to get down to the Point, we actually stationed two vehicles down, staffed with people and we try to give them golf carts. In the old days, being a 20 years medic, we used to have to try to walk through that crowd to try to get to somebody quickly for a heart attack. This is a good thing and it has to be looked at properly. Again, the media has turned it a different way.

I was not asked to comment through the media so I will take this time and thank the Council that again looks like you guys are looking to make things safer and better for the people. And the paramedics and EMT's soon to be here have the same issues at heart. We care about people. Thank you.

The Chair:

For the record, that will be discussed next Wednesday. Anyone else wishing to address Council? Hearing none move to presentation of papers.

PRESENTATION OF PAPERS

MR. COHEN PRESENTED:

No. 1511 An Ordinance SUPPLEMENTING the Pittsburgh City Code, Title One: Administrative, Article Eleven: Personnel, by adding Chapter 186 to Recognize Domestic Partnerships and Common Law Marriage Relationships within the Context of City Employment. --
-(SPONSORED BY MR. COHEN & MR. FERLO)

Which was read and referred to the Committee on Finance and Budget.

MR. FERLO PRESENTED:

No. 1512 Resolution Further amending Resolution No. 781, effective January 1, 1999, entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvement Program," by creating a new line item entitled "Traffic Signals at Seventh Street and Penn Avenue."

No. 1513 Resolution Providing for a Contract or Contracts, or use of existing Contracts for the purchase and installation of new traffic and streetlight poles and fixtures at Seventh Street and Penn Avenue; at a cost no to exceed \$40,000.00.

Which were read and referred to the Committee on Engineering and Construction.

MS. MCDONALD PRESENTED:

No. 1514 Resolution Approving the Eastgate Redevelopment Proposal, Council District No. 9

MS. MCDONALD moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Also,

No. 1515 Resolution Approving Modification No. 7 to the East Liberty Redevelopment Area Plan (Council District No. 9).

Which were read and referred to the Committee on Housing, Economic Development & Promotion.

MR. ONORATO PRESENTED:

No. 1516 Resolution Approving a Conditional Use exception under Section 993.01(a)A(9) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the University of Pittsburgh for authorization to construct a six-story multi-purpose academic center on Forbes Ave. between South Bouquet St. and Oakland Ave. on property zoned "C4" Commercial District, 4th ward. --- (COUNCIL DISTRICT NO. 3)

No. 1517 Resolution Approving a Conditional Use exception under Section 993.01(a)A(9) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the University of Pittsburgh for authorization to construct five, four-story garden-type apartment buildings for student housing, each with sixteen four-bedroom units to house four students per unit, for a total of 320 beds, located at 201, 221 and 291 Oakland Ave. and 200 and 230 South Bouquet St. on property zoned "R4" Multi-Family Residence District and "C4" Commercial District, 4th ward. --- (COUNCIL DISTRICT NO. 3)

No. 1518 Resolution Approving a Conditional Use Exception under Section 911.04.A.64(a) of the Pittsburgh Code, Title Nine, Zoning, Article, Chapter 911,

to Ellis School for authorization to construct a 3-story building and two 1-story extensions to the existing school building located on the campus of Ellis School at 6425 Fifth Avenue on property zoned "RM-3" Residential Multi-Unit Moderate Density, 7th Ward. --- (COUNCIL DISTRICT 8)

MR. ONORATO moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday for purposes of scheduling a public hearing.

MR. COHEN seconded the motion.

Which motion prevailed.

No. 1519 An Ordinance Amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 902, Section 902.03.A Zoning District Map No. 7 by changing from "C6-A" Downtown Riverfront District Area to "C6-B" Downtown Riverfront District Area "B" all that certain property bounded by North Shore Drive, Allegheny Avenue, the "M1" and "R5" Zoning District boundary line located south of Ridge Avenue, the "C6-B" Zoning district boundary line located east of Allegheny Avenue and Stadium Drive, 22nd Ward. --- (COUNCIL DISTRICT 6)

No. 1520 An Ordinance Amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, Article IV, Chapter 910, by revising the site development standards for height of structures in the "DR-B", Downtown Riverfront, Sub-district B.

Which were read and referred to the Committee on Planning, Zoning & Land Use.

MR. RICCIARDI PRESENTED:

No. 1521 Resolution Amending Resolution No. 349, approved June 15, 1998, effective June 23, 1998 entitled "Authorizing the Department of Parks and Recreation to enter into a contract or contracts, agreement or agreements, or the use of existing contracts or agreements for the purchase of furniture and equipment in an amount not to exceed One Hundred Thousand (\$100,000.00) Dollars for the Parks and Recreation Senior Interests Program," by reducing the amount of the resolution by \$25,000.00.

Which was read and referred to the Committee on Parks, Recreation & Youth Policy.

No. 1522 Resolution providing for the transfer of the amount of One Hundred Fifteen Thousand Dollars (\$115,000.00) to the Special Parks Program Trust Fund, Account 491120, Fund 7314, Organization 523000, Budget Year 1999 from the Special Summer Food Service Program Trust Fund, Account 581130, Fund 2855, Organization 521220, Subclass 600, Budget Year 1999 all in the Department of Parks and Recreation

Which was read and referred to the Committee on Finance and Budget.

No. 1523 Resolution authorizing the City of Pittsburgh to accept ownership of the following vacant lots located within the City of Pittsburgh to be dedicated for public use as parklets.

Which was read and referred to the Committee on Parks, Recreation & Youth Policy.

MR. UDIN PRESENTED:

No. 1524 Resolution Providing for the issuance of a \$16,330.49 warrant in favor of Housing Authority of the City of Pittsburgh, 200 Ross Street, Pittsburgh, PA 15219 in settlement of a claim in which a City Police vehicle hit and damaged claimant's vehicle.

No. 1525 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, known as Lien Excluded Properties acquired at tax sales, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

No. 1526 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, known as Lien Excluded Properties acquired at tax sales, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

No. 1527 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

No. 1528 Communication from Barbara Parees, Director, of Personnel and Civil Service, requesting permission for John Turyan, Chairman of the Private Industry Council, to attend he

Pennsylvania Partner's Annual Conference in Hershey, PA from May 5-7, 1999 at a cost not to exceed \$920.00, chargeable to and payable from the JTPA-1 Trust Fund (Mr. Turyan is a non-city employee)

Which were read and referred to the Committee on Finance and Budget.

MR. O'CONNOR PRESENTED:

No. 1529 Resolution Authorizing and directing the Director of Public Safety, in conjunction with the appropriate Chiefs of Bureaus within the Department of Public Safety and, and the Directors of General Services and Personnel, to take the appropriate actions to develop a pilot program wherein medical emergencies can be responded to by utilizing a motorcycle mounted Emergency Medical Technician in order to augment the City's existing First Responder Program. —

(SPONSORED BY MR. O'CONNOR & MR. DIVEN)

The Chair:

We have a request from Ellis School to Rule Eight a bill that we're trying to find -- Bill 1518

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. UDIN seconded the motion.

The Chair:

I think it requires a Public Hearing that was the reasoning.

Mr. Cohen:

Okay. I would not want us to move that through because I haven't had a chance to discuss that yet.

The Chair:

Just moving the public hearing.

Which motion prevailed.

The Chair:

Under unfinished business. Is there any unfinished business to come in front of Council?

UNFINISHED BUSINESS

I would like to announce the Oakland Business Improvement District their bylaws request a member of Council to be on their board. With unanimous approval Councilman Ricciardi has requested and he represents that area and I would like to appoint him to that board.

Mr. Ricciardi:

Thank you, Mr. President.

The Chair:

All in favor?

Which motion prevailed.

The Chair:

I would like to move to Committee Chair Reports.

CHAIR REPORTS

Mr. Udin:

Thank you, Mr. President. Colleagues should have a copy of the report before them on letterhead. We negotiated the budget correction items for 1999 with Director Hennigan and submitted the final amendments to Council, which have been approved.

We also finalized arrangements with the Controller's Office and Council increased the authorized funding to support additional staff needed to manage the PeopleSoft accounting system in the Controller's Office. However, there continues to be glitches in the PeopleSoft System, which prevent reliable balance in the trust fund acts and other accounting functions. It is anticipated that the current staff arrangement in the Controller's Office will improve the accounting system.

The Controller is scheduled to release the audited financial report, the CAFR, for the year ending December 31, 1998 May first as required. It is expected that the report will be completed on time.

It was reported in the local media that the Pennsylvania House of Representatives decided to cut funding to the City of Pittsburgh to reimburse expenses for the Magistrate's Court. It should be pointed out, Mr. President, that it appears not only was the additional four million dollars cut from the state budget but the basic \$1.2 million seems to have been cut as well. So that's the entire amount of \$5.2 million having been cut from this year's budget.

The situation will further jeopardize an already under funded budget operating on a structural deficit that is

beginning to approach \$25 million.

Finally, the Disparity Study Commission has completed the process of selecting and contracting with a firm to conduct the disparity study on procurement and employment in the City of Pittsburgh. The firm is Mason Tillman Associates of Oakland, California. This is the best disparity study firm in the nation and one of the very few which has never had any of its disparity reports successfully challenged by the building trade industry which has so many affirmative action programs shut down.

To date we have only contracted with Mason Tillman to conduct a study of Pittsburgh Municipal employment however we have received increasing demand to expand the study to include employment utilization and availability in the construction industry as well.

The consultants are expected to indicate how much it will additionally cost within a couple of weeks. All targeted authorities met with Mason Tillman to discuss how they will be involved in the study. The member authorities include the URA, the Housing Authority, Parking Authority, Water and Sewer Authority and the Stadium Authority.

Additionally I have been chairing the meetings of the Plan B MBE/WBE oversight committee monitoring the inclusion of minority and women owned contractors in the three construction projects. Although each of the projects has presented plans for M and WBE inclusion there appears to be resistance against including minority and women owned firms in the pre-construction phase. Meetings with the Public Auditorium

Authority, the Murphy administration and team owners and construction managers are ongoing. That concludes my report.

The Chair:

Just on the ending part with the business minority and women business, we're getting kind of late. Where do you see this, is there a final push that can either yes or no soon?

Mr. Udin:

Well the policy has been established by the Public Auditorium Authority, but getting that policy implemented at the top is proving to be tough going. However, the construction management is something that goes throughout the duration of the construction project and they're always bringing on new components to the construction management team. So there are opportunities for inclusion even though the process is already started. They don't identify everybody who is going to be involved up front. They involve them as they go along and as they reach new phases of construction.

So we are hopeful that we will be able to get the kind of inclusion we need still in the pre-construction design and construction management phases. As far as the actual demolition is concerned there has been some participation all though it has not reached the 25 percent goal. The minority inclusion has been at about 18 percent, I believe for minorities and around eight percent for women. So there needs to be a harder push I think from all parties involved to really find ways to bring women owned and minority owned companies into the industry.

The Chair:

So, that's an ongoing process.
Comments?

Mr. Diven:

I wanted to bring up the issue of the court system. As you're aware Council President and I went to Harrisburg in order to try to lobby to the state to replace this into the budget. Unfortunately, from what I have heard in conversation with some of our legislators, we were on a good pace to have that money returned to the budget until Mayor Murphy blasted four demographic legislators and accused them of not being able to lead their way out of a paper bag.

After those comments appeared in the Post Gazette, then the State House went and got together and decided that they were going to send a message to the Mayor's administration about his position in regards to these legislators. I don't think it's right that we have lost \$5.2 million of our politics. I think this is tied up with the County Executive race and it's going to hurt Council the hardest. Because I can guarantee you that come June or July when we have to start looking at plugging up the holes in our budget to make our budget work for the rest of the year, the first place they're going to start looking at is cutting the additional money we put for asphalt or not filling vacancies within the various departments.

I think all of this could have been avoided if our Mayor would have just kept his mouth shut. I mean that's the bottom line of the situation. We lost \$5.2 million because he went out and attacked local

legislators who stuck with him on the Plan B argument. After debacle of the stealth legislation in November, he should have known to keep his mouth shut when it comes to dealing with the State House members. They're elected officials, they deserve the respect of their position, he may have a different disagreement with them politically but that is okay, because they are still elected and they deserve the respect of the administration.

It is unfortunate because now those comments are going to cost us a great deal of money and it is going to cost us a lot of projects that are important to members of Council. I would hope that between now and the time when we are called to task on how we are going to replace this money in our budget, we need to look at programs and projects that are specifically the Mayor's pet projects. See about taking the money to replace this hole in our budget from those projects rather than the important issues that Council has worked on regarding paving more streets or putting more people in our park system or putting more Public Works people on.

It's not going to be acceptable because this message that the State House has sent to the administration is going to end up hurting Council members much more. When we were in Harrisburg and we talked with the leadership of both parties, we voiced our concerns. I thought you might want to comment on this, Mr. President. I thought that we did a pretty good job of trying to smooth over some rough edges and had the administration kept quite on this issue, I thought we had a pretty good chance for success of getting this money back in the budget. Now as it stands there is going to be continued repercussions from the State

House because a lot of these legislators feel like when the chips are down and the Mayor came out and attacked them, they did the right thing, and stood up for the region and they brought back the money and put up the votes for Plan B.

As soon as Plan B was passed then the Mayor came after them and blasted them with both barrels which is not right. I mean if you ask these people to help and be a part of a team and moving the region ahead, you don't go into the Post Gazette and criticize them and make comments like they can't lead their way out of a paper bag. So, I think that is one thing that Council needs to be aware of when we start to have to make tough choices we need to be focusing on whose responsibility it was for dropping the ball, which was the Mayor's administration. And start to look at the projects that are most important to his administration instead of cutting the projects that Council has worked and scraped and fought for to make sure that the entire City of Pittsburgh gets the kind of representation and services that they deserve and they pay for.

Mr. Ferlo:

I would -- I don't really have any direct comments about the Mayor's comments. I would appeal to our delegation from the Pittsburgh and Allegheny County democrats and republicans to rise above the pettiness of the moment.

Obviously over the last couple weeks and I am sure it's going to get worse between now and May 18th we have a high profile Mayor involved in supporting a particular candidate for County Executive. We also have high

profile state reps. who are not supporting that candidate and are supporting someone else. I would ask that both sides just cool it and step two steps back and try to look at the better part of the whole in terms of what is needed for city budget and city residents.

These state reps. I think they need to rise above the pettiness of the moment, the city court is statutorily mentioned in the Pennsylvania constitution just like the Philadelphia Court. The City of Philadelphia gets over seven million dollars from the state legislature to support its municipal courts and I don't think it is unreasonable to get a million four to four million dollars to help us in the operation of the court system. So I would ask the state reps. to please keep that in mind and don't invite the Mayor on a golf outing or pick on him for something else but when it comes to representing the city you really in the end are hurting our own constituent.

It is unfortunate probably it is never going to happen in my life time but if the Allegheny County delegation can at least once act in concert with some unison for an agenda for the city and the county it would be great. I mean Philadelphia does that every time they go to Harrisburg in the short trip that they make. I mean Philadelphia continually gets a disproportionate share of the state dollars back to their community and to their county. Because in the end they go together as a united group and there is always continual urban versus county rural or suburban interests DeLucca versus the inner city legislation. It's just a ridiculous situation.

We have so many state reps. that have a large part of their district

representing city residents. But I would ask that they please think of the city agenda, the county agenda. And most times the agenda is a shared agenda, but in terms of the court, the immediacy of the court money and if there is still time today to amend the budget before the final action, I think we deserve some consideration. I think we're only asking for equitable treatment with the Philadelphia municipal court. So it is very disappointing what is going on in the last few weeks.

Mr. Ricciardi:

Yes. Thank you. First let me say Council President O'Connor I think your initiatives to meet with different municipal and officials including those that represent us in Harrisburg is a very good idea because hopefully that could be the bridge, the avenue that even looks at this type of dispute.

Obviously Mr. Ferlo is correct that we would hope that elected officials and public servants would rise above the fray and do what is best for taxpayers in the City of Pittsburgh and throughout Allegheny County. But that cannot set aside what has occurred because we're all human beings and I think that the comments by Mr. Diven are very principal and very courageous and that is that we have to look at the past and what occurred.

Mr. Diven unfortunately didn't bring up one point that the discussion in the article was the political race for County Executive. The discussion in the article was four or five state legislators supporting Dr. Cyril H. Wecht, Coroner here in Allegheny County and Mayor Tom Murphy supporting at this particular time

even though I see it's starting to waive by his spokesperson in yesterday's Tribune, but supporting Michael Dawida, the Cranmer Dawida team. So what occurred is the newspaper person, the reporter asked Murphy regarding the people that were supporting Cyril Wecht and that's where the fray started.

In the past I have stated that when it came to snow removal we had a bad agreement with Allegheny County. And Mayor Murphy to his credit he is loyal and I appreciate his support for Michael Dawida that's one thing someone can't say about Murphy that he will tell you what he feels. But once again we're going to suffer up to four to five million dollars. So the taxpayers in the City of Pittsburgh because of Murphy and Dawida's position and their personalities and Dawida's non-popularity within the legislature will cost the city \$4 million which will because we can't shut down the municipal court, the \$4 million will probably come from fixing potholes, cleaning some of our vacant lots, resurfacing some streets, maybe recreational programs for our children and possibly even cut backs in our senior programs.

So I would venture to say or just end with these comments because I am not going to get into the fray on this particular issue. I would say Mr. Ferlo is correct. I hope Mayor Tom Murphy and others rise above the fray. I hope they keep the budget out of the political process because let me say one thing. I will not cut services, city services because of this four million dollar problem, this \$4 million hole that's created by now Dawida, Cranmer and Murphy. Before I do that I will be using the surplus. Thank you.

But on a positive note, I think Mr. O'Connor you really have set the bridge. And now I am asking you to look into this gap of four to five million dollars because our Finance Chair is doing a wonderful job, Mr. Sala Udin. But he's not going to come in my office and tell me that I am going to have to cut more here, here and there because of this \$4 million debacle. Thank you.

Mr. Udin:

Yes I want to suggest that what we really do need in this situation is some maturity and some adult behavior. All of the representatives involved that we have been discussing the State Representatives, the Mayor, the County Commissioners they all represent the people. They cannot take out their disputes on the people of Pittsburgh and they have to find a different way to solve their problems other than cutting back services to the residents of the City of Pittsburgh.

The city budget needs those funds and deserves those funds and they should be restored and they should be restored immediately and they should find a different way to conduct this battle. This is not appropriate. It is not fair to the taxpayers that all of these gentlemen represent.

The Chair:

We have these meetings with our legislators and our School Board and we have had two so far. I will try to have one before the final vote in Harrisburg on this. Mr. Diven and I we were certainly disappointed. We went with the two Deputy Mayor's, Mr. Frederick from the School Board, Mr. Suber, our two Deputy

Mayor's and two Council members and I left there feeling very confident this money was going to be restored, total 5.2. Certainly I think we moved one step forward and maybe these comments moved us two steps backwards and we will work together to try to get it back on track.

But I really like what you just said. I am tired of this petty politics. I have seen more pettiness in the last couple months. I have seen it from people in my neighborhood, business people because somebody supported someone else. I am going to tell the Mayor and the Commissioners and those people in Harrisburg including us, we represent everyone here, black, white, rich, poor. Those young kids that were here we better put this pettiness behind us if it is going to be one month or until next January until the new executives are elected. The people of Pittsburgh deserve better from all of us including across the hall and the three commissioners.

If it doesn't stop, I will use this podium for a five-minute update on what is going on behind the scenes. I mean I am tired of what I hear going on and I am not -- there is enough for everyone to share in the blame. I am not pointing my finger at one person. But I am not going to stand for it and I will use this podium to bring it forward to the public if it continues. Because the people of Pittsburgh as Mr. Ricciardi said, are going to suffer because of this battle. Calling each other names, doing what they have to do for a one month election is one thing but losing services and we are tight enough on our budget right now to get -- we were hoping to scale down a 20 million dollar deficit. If it is over 25, there are a lot of jobs,

services that are going to be cut that don't deserve to be cut.

Mr. Ferlo:

I would like to see maybe it is somewhat unusual but I think Commissioner Dawida and Dr. Wecht should jointly cosign a letter to the state delegation and House and Senate in asking for support of the municipal court based on some equity and fairness with Philadelphia receiving a reimbursement.

I would hope that they can do that and get this out of the fight between the County Executive race which I mean I don't even want to watch television. I mean the Larry Dunn add is an example, it is just terrible. I mean what Jim Roddey did, whatever you want to say about Commissioner Dunn I don't know a more hard working individual than Commissioner Larry Dunn. To play an almost, a propaganda attack with running his picture when he's obviously not only tired but to slow down the camera and make it look like he's just a bumbling idiot standing on the doorstep there falling asleep at some ribbon cutting is just horrendous. I think it is very unfair.

I would hope that Mr. Roddey is going to run a serious campaign that he talks about all this rhetoric. He is talking about economic development and business and whatever else he is talking about. I would just ask him to make it a concrete issue and the same goes for Commissioner Dunn. But I think a lot of people are going to be so sick and tired. I am sure Mr. Dawida will start this week on poor Mr. Wecht.

The Chair:

It already started yesterday.

Mr. Ferlo:

I didn't know that. But I mean that is terrible. Can't they just in principle talk about what they want and don't want for the future of the County and the Home Rule? But I think Dr. Wecht both with Commissioner Dawida should indicate to the delegation that we badly need their support. And it's only fair. If the state reps. aren't going to give us that help then let us have a \$50 occupation tax to restore some income to the city. It's like kicking us when we are down. 40% percent of our land in the city is tax exempt, we're the regional hub for major employment and health care, education, you name it.

We have disproportionately a large group of middle and upper class workers that work as a result of the city having employment in the urban core. But they leave their community or leave the urban core each day and go live in the suburban community, which is fine, its great but we get a lousy \$10 bill. So, if they are not going to help us out and restore some tax equity, at least give us some support. You have a multi-billion dollar surplus in the state legislature, I mean this is the time when you should be reinvesting in the urban core, reinvesting in roads and bridges and the Mon Valley and McKees Rocks, McKeesport, Duquesne, and the like.

I mean I would ask that they really refocus on that and get past the petty comments made by the Mayor or vice versa. I just hope that both Commissioner Dawida and Dr. Wecht would hear our appeal today and ask their respective allies

in the State House to restore some income back to the city. It's only fair.

Mr. Diven:

I would like to follow up. I think we should put together a letter and have all nine members of Council send it to each candidate, Candidate Wecht and Commissioner Dawida asking for their assistance on this. But I would also like to point out that you were in Harrisburg and you sat through the meetings when the Senate and House leadership, the democratic leadership said and in no unspecified terms that they were very upset with the comments the Mayor made about him not being welcome back in Harrisburg and some of the things that he said after the stealth bill happened. And then what happened was we had legislators who were not very big fans of Tom Murphy and we had legislators that put aside their personal and political differences with the Mayor and went out and voted for this bill which was a tough vote for them. And then after they make that vote then they have to read in the newspaper again that he's going to continue attacking them on political lines.

I think that has to stop from our side too. Aside from contacting both the candidates and asking them for their assistance in getting that legislation into the budget, which would fund the municipal courts, we do have to understand the legislators side of the equation. Here they were, they were verbally attacked in the media when the stealth bill went down. They put it aside and they rose above politics and they put up the votes for Plan B and then afterwards instead of a thanks or sincere thanks they have to read more sniping comments in the newspaper regarding a

political race. And that's something that they have to be able to resolve as well.

I think we have been trying to build bridges and that kind of relationship with the administration no matter how strong we are able to develop ties with the legislature, the Mayor is still the chief executive of the city. And if the legislators aren't motivated and working as a team under his direction then we aren't going to achieve the goals that we need to achieve. All I am saying, if we don't get the money back into the budget, we need to be prepared to fight for the programs that we have worked hard to put into our budget. If we're going to make up a \$5.2 million gap in our budget, it shouldn't be the things that we have struggled for the past year to make available for the residents of the City of Pittsburgh.

The Chair:

I will make one more attempt to put this together including not only the legislators, the Mayor's Office with the Commissioners. I think it still can be done and we have to move on. It can't be personalities because we are all suffering. The people of this city are suffering because of petty politics. Any other discussion?

With that, we will move to Reports of Committees.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1530:

Report of the Committee on Finance and Budget for April 14, 1999, transmitting

sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1350:

Resolution authorizing the transfer of Sixteen Thousand Dollars (\$16,000.00) from the Cable Communications Trust Fund to the Equipment Leasing Authority for the purchase of vehicles and related accessories. (PRESENTED BY MR. COHEN)

Which was read.

Also,

Bill No. 1351:

Resolution authorizing the transfer of Nineteen Thousand One Hundred Dollars (\$19,100.00) from the Bureau of Building Inspection Trust Fund to the Equipment Leasing Authority Fund for the purchase of vehicles and related accessories (PRESENTED BY MR. COHEN).

Which was read.

Also,

Bill No. 1352:

Resolution authorizing the transfer of Three Hundred Sixty Thousand Dollars (\$360,000.00) from the Emergency Medical Services Trust Fund to the Equipment Leasing Authority Fund for the purchase of vehicles and related accessories. (PRESENTED BY MR. COHEN).

Which was read.

Also,

Bill No. 1473:

Resolution authorizing the periodic issuance of warrants in favor of the Commonwealth of Pennsylvania to pay the City of Pittsburgh JTPA Program's share of the statewide on-line computer system cost for the period July 1, 1998 through June 30, 1999. The total of the warrants will not exceed Twenty One Thousand Three Hundred Eighty One Dollars (\$21,381.00), chargeable to and payable from the JTPA-I Trust Fund.

Which was read.

Also,

Bill No. 1474:

Resolution providing the authorization to make all legitimate expenditures for Agreement or Agreements with various agencies and vendors to advance the recruitment, assessment, and coordination for the additional employment and training activities brought on by the increased construction work in the City. Funds will be committed for promotional and recruitment activities, staff to provide coordination services, technical assistance to training providers, and address the transportation issues necessary to implement the Mayor's Employment Initiative, and providing for the periodic transfer of funds to be used in the Mayor's Employment Initiative Program. The total amount payable under this Resolution shall not exceed \$400,000.00, chargeable

to and payable from the Mayor's Employment Initiative CDMO Account.

Which was read.

Also,
Bill No. 1485:

Resolution authorizing the transfer of Fifty Thousand Dollars (\$50,000) from the Confiscated Narcotics Proceeds Trust Fund, Fund 2416, Org. No. 230000, Subclass 600, Account 540000, Budget Year 1999 to the Equipment Leasing Authority, PNC account number 00-122-7872 for the purchase of vehicles and related accessories. (PRESENTED BY MR. COHEN)

Which was read.

Also,

Bill No. 1489:

Resolution authorizing the transfer of Five Hundred Fifty Thousand Dollars (\$550,000) from the Local Law Enforcement Block Grant Trust, Code Account LLEBG, Fund 2445, Org. No. 230000, Subclass 600, Account 540000, Budget Year 1999 to the Equipment Leasing Authority, PNC account number 00-122-7872 for the purchase of police vehicles and related accessories. (PRESENTED BY MR. DIVEN)

Which was read.

Also,

Bill No. 1494:

Resolution amending Resolution No. 781, effective January 1, 1999,

entitled, "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999-2004 Capital Improvement Program," by making certain corrections. (PRESENTED BY MS. MCDONALD AND MR. HERTZBERG)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills? Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those oppose vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Udin	Mr. O'Connor
	(Pres't)

(Mr. Ricciardi abstained to Bills 1473 and 1474)

Bills have received the legally required number of votes and have passed finally.

MR. ONORATO PRESENTED:

Bill No. 1531:

Report of the Committee on Planning,

Zoning, and Land Use for April 14, 1999, transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1311:

An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 6, by changing from "RP" Residential Planned Unit Development District to "CP" Commercial Planned Unit Development District certain property having frontage on the southerly side of North Commons between East and West Commons, 22nd Ward. (HEARING HELD, APRIL 13, 1999)

Which was read.

The Chair:

You have heard the reading and discussion on the bills, is there any discussion on the bills? Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine NOES None

Bills have received the legally required number of votes and have passed finally.

MS. MCDONALD PRESENTED:

Bill No. 1532:

Report of the Committee on Housing, Economic Development and Promotion for April 14, 1999, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1395:

A Resolution approving the amended Redevelopment proposal dated February 1999, including Modification No. 8 to the Redevelopment Area Plan, for redevelopment Area No. 12, Allegheny Center, in the 22nd Ward of the City of Pittsburgh Council District 6). (HEARING HELD, APRIL 13, 1999)

Which was read.

Also,

Bill No. 1421:

Resolution approving execution of a Contract for Disposition of Land by and between the URA and UPMC Health System, or related entity to be formed for the sale of Parcel E-1b, Subdistrict II and Parcels F5 thru 12, F15b, F16, Subdistricts II & III, & Road row and park area, (PT B&L 29-J-8) in the 16th Ward of the City of Pittsburgh in Redevelopment Area #55, Carson Street, Council. 3 (sports medicine

campus). ---PRESENTED BY MS. MCDONALD & MR. HERTZBERG) (HEARING HELD APRIL 7, 1999).

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Ferlo:

On Bill Number 1421, I still have some reservations about this. This is the transaction, which the City Council must authorize to allow the Urban Redevelopment to enter into an agreement with the University of Pittsburgh Medical Center for their sports complex.

I have two concerns and I am not sure at this point I will be offering amendments and I just wanted some assurance especially maybe from Councilman Hertzberg could help me out a little bit as a URA board member. But I am concerned that, first of all every time UPMC says they are non-profit I want to choke in my morning coffee. This is probably more so at the case of this institute for sports medicine. It is clear that they are going to be making major reimbursements from third party health insurance coverage entities, are going to be getting resources from for-profit professional sports teams.

So setting that issue aside, I am concerned about this issue that it is a very large tract of land. I want to be assured because when I read the agreement nothing explicitly states that there will be a payment in lieu of tax or however you

want to phrase it that guaranteed the reference that the staff have made at the table. That all of this land will generate some tax income on lands and buildings regardless of the non-profit status of University of Pittsburgh Medical Center.

I am concerned about this. Some specific numbers were stipulated at the table. I hope that those are legally, minimally the legal numbers that end up whatever the final disposition agreement is because the way I read the resolution it doesn't state that. I also asked will that be in perpetuity and the answer was yes. But I am also concerned legally that if in the future there were legal transactions transferring the land from UPMC to some other entity including possibly a for-profit entity. I don't see why I shouldn't go right immediately back on the tax rolls and be assessed for lands and buildings just like any other property owner would be assessed.

So I am concerned that the final resolution that we are approving today 1421 doesn't explicitly spell out this requirement of the taxes being paid to the city, to the school board, and to the county. So I have a reservation about that.

Secondly, and the tax issue is directly related to the bill, there is a secondary issue which I am concerned about which I guess some will argue it is not directly related but I am concerned and I am not sure we should address it in this bill. But we have the University of Pittsburgh Medical Center at this point I don't know if they are taking legal action but they are intervening in the issue of West Penn Hospital and Allegheny General Hospital creating a merger. Basically the financial resources of West

Penn Hospital will help secure the foundation and the financial footing in the future of the Allegheny General Hospital.

Now this Council, we have deals going with UPMC on a variety of issues, we have a lot of deals going with the University of Pittsburgh to their credit, but we also have a big investment of West Penn Hospital and Allegheny General Hospital. I mean least of which is the Federal North Development Project. But at least in my Council District, West Penn Hospital is a major institution in my Council District, it is a major employer, people throughout all of our respective districts benefit from employment at Allegheny General Hospital, at West Penn Hospital.

Now I don't know that this is the best financial plan to save or to salvage AGH, Allegheny General Hospital, we are talking about West Penn Hospital putting up four or five hundred million dollars. I believe 150 of that is being secured by Highmark Blue Cross/Blue Shield. So I can see why UPMC is concerned about what the arrangement is. But we have a concern here. This is just as important as the Nabisco Plant or the LTV argument in Hazelwood or any other economic development initiative. I mean we have two major employers, Allegheny General Hospital and West Penn Hospital, and I am concerned that they exist into the future. I am little bit resentful that UPMC is intervening now basically trying to disrupt and kill that deal.

Now if there is a better deal that is going to come along, maybe we will look at it. But I don't think it is in our best interest at least for the residents that I represent and the healthcare dollar for a

North Carolina for-profit firm to come in and acquire AGH and just slash and buy out the doctors' practices and do other things that UPMC has already done. So I mean this is a concern that I have and here we are going out of our way to assist the development of UPMC sports complex project. Now some of my colleagues may argue they are apples and oranges, they have nothing to do with each other, but I would ask that we keep this in mind on a final vote today.

If we are going to proceed with this vote, then I guess I will be stuck and be supportive of the deal that is on the table. But I am very concerned that this Council play an advocacy role in helping to secure the future existence of West Penn Hospital and Allegheny General Hospital. There are a lot of people effected not only with employment, certainly North Side communities are effected by the financial health of the Allegheny General Hospital and all kinds of issues that I can't talk about now.

But I would ask minimally if the bill proceeds today that the minutes of the meeting be conveyed to further clarify the commitment that has been alluded to about payment in lieu of tax regardless of what the status is in the future as well. And secondly, I think we have to send a message to the parties involved that this Council is concerned that Allegheny General Hospital and West Penn Hospital continue as viable institutions in the future. I personally resent the dominating profiteering attitude of UPMC, University of Pittsburgh in their attempt to squash the deal that is on the table for West Penn Hospital. I hope to salvage Allegheny General Hospital.

I would ask maybe as a side bar if the bill is going to proceed that we ask the solicitor if we can intervene or do we have any legal standing with the Pennsylvania Insurance Commission. I think as a municipality we should speak out on this issue. I think we should some how find a way to be supportive of the continued existence of these two institutions while at the same time protecting the health care dollar and our employee benefits and consumer choice and all that other stuff. But I am concerned about the monopolistic tendencies of UPMC, University of Pittsburgh.

Mr. Hertzberg:

Thank you. On the issue of paying property taxes, the URA has covered this vote and the disposition contract that is referenced in the legislation and the deed. It can't be described though and I know it is funny you can say it is a payment in lieu of taxes. UPMC wants very much to maintain its charitable status and everyone may disagree. You have doctors making the big money they are making, but I don't think UPMC is any different than Saint Francis, West Penn, or Allegheny General. But I think those issues are all very well covered in the documents that are going to be executed.

Also, in the future if it is conveyed to someone else, that is not a charitable organization, the paperwork specifies it, it will be then fully taxable.

On the issue of Allegheny General, I am very concerned about Allegheny General Hospital and want it to succeed and not be taken down financially. But I think what Pitt has raised as an issue is a monopoly issue. Their concern is about a

particular insurance company that is going to finance potentially I guess with maybe bankruptcy court approval. But there is an insurance company that is putting up all the money and there is a concern on the part of UPMC of a monopoly entering into that picture.

So, you know there is a lot of -- it is a very complex issue and I really don't think it is one that we should be tackling at this time with this legislation. I think what this legislation is about is a good thing for Pittsburgh. It is a great thing. We have a internationally known doctor in Dr. Freddy Foo (phonetic) who wants to expand his operation and is going to bring us even more gains on a nationwide and international basis with the brand new sports medicine facility. We have to play to our strengths. I mean we talk about you, now we need to grow manufacturing and those kinds of things. But here we have a strength in our community in the great medical people and facilities that we have here and we are proposing to do even more with it and make it even better.

I think that is the kind of thing we need to be doing. We also need to work on our strengths. This is one of them. It will be that much stronger. I think it is a great project, I hope we will go ahead and move on it today.

Mr. Ferlo:

I think as Councilman Hertzberg spoke eloquently, obviously the pluses for this deal outweigh any negatives. The only concern that I have I will be supporting the resolution that is before us and I think clearly it is important that we move ahead. I think the nature of this particular part of the South Side Works

site is such that it lends itself best to this kind of development as opposed to other things that would have a difficult time going in there because of the presence of the railroad tracks. So I am supportive of that.

But I would ask as a sidebar that we ask the Solicitor to review this issue because I believe we should intervene in this matter with the Pennsylvania Insurance Commissioner. Because I don't necessarily object to Highmark Blue Shield helping to be a part of the financial deal with West Penn to secure Allegheny General Hospital. There is a way for us to do that in a way that is pro-consumer. That is for the Insurance Commission to approve that but to not allow Highmark Blue Cross/Blue Shield into tracking patients solely to AGH West Penn. I mean there is a way for them to do this and in print upon that agreement the power of the Insurance Commissioner to not allow any either director or indirect tracking of patients solely to the AGH West Penn. There should be some consumer free choice.

I wish the health systems agency and that federal law regarding health plan and resources still exist. It doesn't, if it did we would be able to direct some of these decisions. But right now the consumer is not being represented in this discussion and it is a big battle between two giants, AGH and UPMC and as far as I am concerned none of them are lily white. They are not pure, they both have for profit and market control of the health care dollar at the bottom line.

So I would ask as a sidebar if we are going to facilitate UPMC's further expansion and security with this sports complex, I think we have a right and an

obligation to intervene on an important issue involving the future of Allegheny General Hospital in our city.

Mr. Ricciardi:

Yes. I think Councilman Ferlo is raising some very good points, but I am not sure we are able to make that type of leap regarding this proposed deal.

Number one, UPMC is paying for the property. It is going to be prime dollars what they are paying for the parcels of land. Number two they will be paying revenues to the City of Pittsburgh, Allegheny County and the School Board in lieu of taxes. Number three, the property will be reassessed no different than any other property in the City of Pittsburgh or in the South Side. So, those revenues will increase to our city coffers and also if the property is turned over to any other entity, revenues will continue to flow.

If I could go on, there is definitely going to be, we are going to generate revenues, we are also going to create jobs. I think Mr. Hertzberg has really articulated the good that is going to occur because of Dr. Foo but I want to just say one thing because it appears the votes are here. I realize it is sexy once again to talk about sports, this is not going to be a sports complex, even though that is an important component of it. Any persons throughout the City of Pittsburgh, Allegheny County, the United States, someone from the South Side can make an appointment there and will be able to make an appointment. No different than they can now in the Oakland area and be seen by some very, very outstanding physicians and that is very important.

I have to say publicly I have been very pleased with UPMC's South Side Hospital and their outreach in the community. Number one through the foundations, I am talking about hundreds of thousands of dollars going to my councilmatic district. But number two, their outreach. Regarding how they have outreached to the senior citizens, regarding some of the problems seniors experience such as arthritis and rheumatism. I have met with these individuals several times and that outreach is going to continue for the young people, for single moms, for children and for our seniors. It appears on the face that is going to be a good deal. You notice that the fields are not going to be 100 yards, this is not going to be turned into a sport complex. We are not going to have high school football on site. We are not going to have the Steelers, the Panthers. We are not going to have other football teams on site. This is going to be really focused in to health system. I think that is just so, so important.

I am looking forward to it. I just hope that the design is going to remain firm and they have gone through a public process and Mr. Birru and Jerry DeTorre have been doing such a wonderful job on the URA. Thus far, every commitment or word that he has given to the South Side community and myself has come true. I am very pleased with Jerry heading this project.

The Chair:

Certainly I agree with almost everything that has been said. The bridge is - I was thinking about the bridge though, that MC railroad bridge. Again, that is a link between the university and the South Side, which I think is a benefit.

Can we convince the medical center and the university to help pay for that? Freeing up money for some of our other projects that we are talking about? There are so many benefits here and it also ties them with a high tech center which they have a building at, CMU has a building at, I don't know if we have looked at the transportation.

I do question, I am very supportive of it because as you said, rehab for anyone, senior citizens take rehabilitation at that center will be there. It will be an asset to South Side Hospital. I must compliment you, Mr. Ricciardi, on South Side Hospital. Since UPMC, they have done a lot in that community. I have seen that.

Two questions I have I guess I would like to think about and maybe we need a post agenda or a public hearing. What is Pitt's overall bigger plan? There are so many good things happening in the Oakland area. What are they going to do with the Hollow? You know we are going to court, I think we have lost the city, the administration has lost about twelve million dollars in court for that Hollow there. Is there any future with Pitt? I am talking about Panther Hollow. You know the 40 soccer fields that we don't where they are going if they do go they will be probably eight million dollar or six million dollar soccer fields if there are two of them. There is room to tie in with either CMU or Pitt there is a lot of work going on there.

I am afraid though and I will get back to Mr. Ferlo's point and Mr. Hertzberg, if you look at the hospitals they are the old steel mills. I never realized so much as when you go to Saint Francis or West Penn I am sure Allegheny, maybe the

doctors live in Fox Chapel but probably 75% of the workforce walks to work. They live in the neighborhood. Putting those nine hospitals together, they are major employers. I feel Council we have missed out on the opportunity, gentlemen, and my question to ask you is especially with this TIF going to Allegheny, if that falls apart the taxpayers are stuck. It is certainly not getting the highlights that the stadiums are getting. I believe we need a meeting to make sure we are included. You should be on with West Penn Hospital what is going on there. Mr. Onorato with Allegheny, somewhere along the line I think Council has to be involved. I am not saying all nine of us but I would ask the administration to involve the Council member who lives in that district who has some allegiance to that hospital or that neighborhood. Because if we just let this go by the way, we are stuck with picking up the pieces a year or two years from now.

So, I will ask you. I am not sitting here saying I have the answer, but how are we going to do that with the administration. I think we have to bring us more into the loop like it or not and there are so many things going in so many directions. We have to save those hospitals, we have to keep them all energized for Public Safety, public welfare and the jobs. The more we get involved the better on an individual basis.

Mr. Ricciardi:

I am up on yourself on that Mr. O'Connor regarding the University of Pittsburgh for example, I am very pleased with what they have been doing the last few years. I am pleased that they are building the student housing. You were

there with myself right off of Forbes Avenue, that is going to allow or give students housing outside of the community. This way we can remain, keep our residential neighborhood in tact, the character and the flavor of it. I am very pleased that the University of Pittsburgh is picking up the expenses for a building inspector in the South Oakland/Central Oakland area. So I am pleased in some of the leaps that they have been making the past few years, unfortunately over the previous decade when I don't believe any of us were around, that is when the snowballs start rolling. Now we have to slow that down.

So I am willing to work with you. I think we have to remember there is a separation between UPMC and the University of Pittsburgh however and what they are responsible for. On that note, in the last several years, hopefully we can continue to make certain gains both with the University of Pittsburgh and the UPMC.

Ms. McDonald:

Not to repeat everything, I just wanted to make sure my comments are brought forward from last Wednesday's Standing Committee Meeting. I applaud all the work that has been put forward in this proposal over all. This is just one step. The zoning piece is one step. I had side barred with Councilman Hertzberg to affirm that this legislation is not an out and out TIF. Not this one at least. A representative from the Pittsburgh School Board had called my office yesterday expressing concern that there would be a TIF involved and I had researched and found out no this is part of an overall TIF, but this particular site in question is going

to be financed by UPMC. We are providing the infrastructure.

Again, it brings in jobs. The only not even question, the only concern that I would have and that can be dealt with through other mechanisms is to insure that the construction that there is MBE/WBE participation. I believe will be reviewed through our committee, the city's review committee, but also to make sure that UPMC does have an all out effort when we talk about employment and new jobs. That they do reach out to Pittsburghers and to the minority community which has been underemployed for quite some time now through reports.

So, not to necessarily be the big brother watching, but there will be some I guess circumspection going on to make sure that there is inclusion, that there is diversity. That this is not a giveaway. The city is working with UPMC, I personally don't have a problem with expansion of any entity as long as it doesn't gobble up and take away from people. If they are going to be a benefit, no different than our big Fortune 500 Corporations that have been in the City of Pittsburgh traditionally, they have been an asset. They have been actually a salvation to the City of Pittsburgh area. Many of them have left. So, I have no problem with the big boys, we just want to be part of the play that is all.

The Chair:

Again, I think everybody is supporting the South Side initiative. We did get a little off the track thanks to Mr. Ferlo. But seeing Mr. Jay Rollings in the audience we could ask him that maybe it is perfect timing, we have a follow up

meeting when you were President we met with Chancellor Nordenberg. I would like to maybe have a follow up meeting just an informal meeting to get together where we are going with that. Where they are, I think they have done an excellent job certainly moving in the right direction, but let's get back together with them.

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Diven	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
	Mr. O'Connor
	(Pres't)

(Mr. Cohen abstained on Bill 1421 because of potential conflict, which has filed with the City Clerk).

Bills have received the legally required number of votes and have passed finally.

The Chair:

Let it be noted that Mr. Ferlo put personal agendas behind him and voted for the good of the city and Pitt. I hope other colleagues in public office can do the same.

MR. COHEN PRESENTED:

Bill No. 1533:

Report of the Committee on Lands, Buildings and Procurement for April 14, 1999, transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1471:

Resolution providing for a contract or contracts, or use of existing contracts or agreements for the purchase of an Alpha Numeric Message Generator and related equipment at a cost not to exceed Thirty Seven Thousand Dollars (\$37,000.00), chargeable to and payable from Organization 124000, Account 543000, Fund 2815, Sub-Class 600, Budget Year 1999, Cable Communications Trust Fund, Department of General Services. Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills? Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato

Mr. Ricciardi

Mr. O'Connor
(Pres't)

AYES Eight NOES None

Bills have received the legally required number of votes and have passed finally.

The Chair:

Now move to motions and resolutions.

MOTIONS AND RESOLUTIONS

Mr. Cohen:

I have a short one, Mr. President. I just wanted to take the opportunity to remind Council members that we have two meetings this afternoon for briefings on cable franchise renewal negotiations. One at two o'clock and one at three o'clock and I know that our City Clerk, Linda Johnson-Wasler has assigned people to those meetings. But please if you could make it and if you cannot make it please send someone if you will. It's an opportunity to update members of Council on a lot of hard work that is being done by the negotiating team. And that includes Guy Costa the Director of General Services, Jacqueline Morrow our City Solicitor, Rodney Akers in the City Solicitors Office, Gil Lancia, Chair of the Cable Advisory Board and myself.

We have been meeting every week for our internal -- our negotiating team has been meeting every week we also have been having negotiation sessions with TCI virtually every other week. They have been hard fought negotiations a lot of intense work has gone into this. So if you

can make that meeting I would appreciate it very much. Thank you.

Mr. Ferlo:

Two very brief points under news of the weird. A few weeks ago I made comment about potholes in my Council district and I actually encouraged graffiti vandals to spray paint the streets where there is these potholes instead of doors and garages and the like. Apparently someone in Public Works or the Marathon Committee I am not sure, which took me up on it. Because I noticed along the marathon parade route especially through the heart of Bloomfield last night there appears yellow spray paint around the circumference of each pothole along the marathon route, which I think is great.

So finally Public Works can actually see the potholes, you don't have to just experience it riding their car, so they will see the pothole and they will know that within that yellow circumference they have to fill it with some material. So, I would only ask if I could please borrow that yellow spray can whoever has it in the Marathon Committee or Public Works, so I can borrow it to also proceed down on other streets and alleyways and byways. So I would like to ask if we could put the call out for whoever has that magic yellow spray can I would like to borrow it to continue past the marathon route in hopes so that we can get the X amount of other potholes filled.

Secondly, I received a fundraising letter from Vice President Al Gore who is seeking financial support. I wrote him back a letter explaining that I would not support him, how upset I was that he specifically did not fund the empowerment

zone project, which I thought was a great proposal that the URA and the Mayor and everybody worked so hard on including the private banking community, you name it was a great proposal. We got denied yet again only for Ohio to receive three empowerment zones, and Ohio had more Congress people voting for impeachment than anybody so I don't understand the logic politically or otherwise.

I also was upset about Star Wars being refunded now by the Clinton Administration and everything else that they are doing horrendously. So I sent him two cents as my contribution, low and behold they deposited the two-cent check. So I just want you to know that it is not as good as the Chinese money but it was also so noticed.

The Chair:

If I could comment on both?

Mr. Cohen:

For once he got his two cents in.

Mr. Ferlo:

That is what I wrote, my two cents.
Signed by Al Gore.

The Chair:

If I could comment on both, maybe it shows what we talked about as petty politics. I think the leaders of Washington especially on the democratic side just take Pittsburgh for granted because we always vote their way. So what else they just take us for granted and so what they are going to vote for us no matter what. Hopefully we will jump on a new train.

Concerning potholes, actually I don't know if you guys remember Rege Kordick (phonetic) very famous Pittsburgher who actually went to school with my mother and went to LA about 25, 30 years ago. He was one of our most famous radio personalities passed away. And we are certainly saddened by his death, but also he was quite known for not only frothinslosh, but potholes. He was the one who brought potholes to our attention 30 years ago. I think he was famous because we was actually run into one and the family could actually move into some of the potholes.

It is sad to say that we're getting back to where we were 30 years ago. I don't know who the Mayor then was but 25, 30 years when I learned how to drive, that was the big challenge was to stay in the streetcar tracks so you could avoid the potholes. So unfortunately we don't have the streetcar tracks any more. I don't know what young kids do just maybe it is a good thing we have radial tires or we would probably have cars pulled over all day.

So hopefully the administration gets the message and the retirement of one of our directors hopefully we don't fall behind any more than we have already.

Mr. Onorato:

I want to point out that the streetcar tracks are pretty much back on the North Side with the size of those potholes. I see them every where.

The Chair:

Might be good for the kids learning how to drive then, they can stay in the

potholes.

Mr. Ricciardi:

Just the same issue. Obviously I was very pleased that we had a Post Agenda on this because this is real money. These are empowerment zones that bring in \$100 million of federal money -- possibility times that by ten you're talking about a lot of development, a lot of jobs, you are talking about real good paying jobs. We keep raising this issue.

I think Mr. Cohen was on point, I don't have the information in front of me that when we were rated, our application was rated one of our weakness was one of our strong points. I forgot which exactly point that was, Mr. Cohen. Maybe I don't fully understand the politics, the professional and the personal relationships in Washington, DC but it can't be different than this legislative body. Let me give you a perfect example, the re-opening of 30th Street in the South Side is \$500,000, a half a million dollars. I mean I thank all of my colleagues on this body for supporting that. That was very parochial, that was for the Hollow community and the neighborhoods really thank you for that. But I had worked with all of you. I worked with all of you.

I was patient, I worked with the administration and it came about. I mean how can we always continue to lose. When it gets down to it we have some direct questions. Gore could have made a difference. We have our congressional delegation we have seniority. I must be missing something and we keep putting it on Al Gore. There has to be more to this. We have professional lobbyists. We are paying tens of thousands of dollars,

probably in the hundreds of thousands of dollars for these professional lobbyists to go to DC to do what?

We might as well just bring them back home. I mean we are not talking about just maybe a thousand dollar grant. I am not articulate on this issue as much as my other colleagues who follow the workings of Washington, DC. But I am not pleased with them and I believe Councilman Ferlo is right. When Al Gore comes to this City I am not going to be there welcoming him, I am not there too often anyway for our Washington people, but I am not going to be there. But Jim Ferlo is right. We should send them a message and he brought up some very good points which I am not aware of on how the votes in Ohio.

I think Mr. Ferlo you mentioned the impeachment vote, the folks in Ohio voted such and such and even if you look at the Ohio Congressional delegation, I am not sure if they even have the seniority that we have. I am not sure if they have the democratic cognizance that we have. I am not sure of any of that stuff. All I know is we continue to come up short. Something is wrong that is all I know and something needs to be corrected soon. Thank you.

Mr. Cohen:

I can restrain myself no longer. You may recall I raised this issue a few years ago when we lost the first hundred million dollars from Washington. Now we lost our second hundred million dollars. What concerns me and let me just follow up with what Councilman Ricciardi said because I appreciate him mentioning this. Let's take at face value for the moment that there isn't politics involved. I know you

are all going to laugh, let's just -- we all know it is not true but let's take at face value that there wasn't politics involved, that they really were deciding this issue on the merits of the proposal.

For arguments sake let's say that. Well when I read the Department of Housing and Urban Development paper on why Pittsburgh did not get this hundred million dollars, they said we were weak in three areas. The three areas were and this is what Councilman Ricciardi was referring to neighborhood development, information technology and workforce development including childcare. Those are three areas that we are strongest in.

When it comes to information technology obviously AT&T has just announced that Pittsburgh is one of ten cities nationwide that they're going to invest over 30 million dollars to upgrade our entire cable system.

When it comes to neighborhood development every single one of us can talk about neighborhood development. We certainly want more of it but a lot has been done from Home Depot to Nine Mile Run, etceteras. Workforce development and they said in there including childcare. So they take workforce development truly from cradle to job.

The United Way of Allegheny County has a multi million dollar early childhood initiative, which is a model for the nation. So the three things that they point to us as our weaknesses, truly are our strengths. So something is wrong here. There was no reason for us to lose it the first time and certainly no reason for us to lose it the second time and it is very, very frustrating.

Mr. Hertzberg:

Thank you. I will tell you what, I chaired the Post Agenda on that empowerment zone just a couple of weeks ago. I am going to get the tape and look at it again because the comments here are not reflective of what went on at that Post Agenda at all.

I sat there and the gentleman came from Washington and actually ran the program and he was drilled by a lot of people including Congressman Clink and Congressman Coyne. Maybe I am not a good judgment of character but it appeared to me that he was being very open and honest with us when he told us it wasn't the political process. It may have been the first round, but they had done everything possible to de-politicize it on the second round. I think the biggest weakness that they were very public about and put in a report that was sent to everyone involved was a lack of sufficient documentation of public participation in the process.

I believe we lost ten points on that on a scale that is like a test, you lose ten in one area like that unless everything else is perfect you're going to lose and I think that's what happened with the thing. But I have another topic if we can move on. Thank you.

Today is exactly four weeks before our Primary Election Day and it is that time of the year when things start growing out of the ground, they are campaign signs. And this May election, in my recent memory, has more candidates than any election ever. We have I believe between 50 and 75 individuals running for the Court of Common Pleas, we have all of

our row offices, we have a couple of statewide offices and now we have the new County Council involved also. So we have a lot of people running for office. There are some local spots, district justices, there is a long list and City Council I shouldn't forget that either. Five of us are running this time.

I just want to remind everyone that this Council took an action last year relative to the signs that are sprouting up. Last March we passed an ordinance, that was Ordinance No. 4 last year, and a couple of things that we said was our intent in there was that unauthorized signs and along city roads spoil the natural beauty that is an invaluable asset treasured by residents, commuters and visitors. And there are a number of alternatives available to advertisers that do not have to have the negative impacts that signs on roads and utility poles have.

And then we enacted an ordinance that prohibits all unauthorized signs on our roadsides. We also put in there a couple of provisions for removal by our Public Works personnel or those others that are designated to do that job. We also asked that our Public Works Department send written notices out to people that we may think are inclined to violate the ordinance including candidates for elected office.

I have been informed that in fact the letters would have gone out either Friday or today. I asked everyone to abide by this ordinance in the City of Pittsburgh. And if people have a problem, if they see a proliferation of signs or the appearance and the litter that is going to ultimately be the result bothers them call your local Public Works Division they are authorized and they will respond by removing the

signs.

And I would ask and call on everybody in this room who is running please abide by this ordinance.

Mr. Ricciardi:

Just on that note, I think Councilman Hertzberg has done a great job on that. Because some of these signs not only are they ugly esthetically displeasing, some of them are put in some areas that are really a hindrance to vision for automobiles. I have run three campaigns; I have never had a sign on property to date.

But, Councilman Hertzberg, just for your information, I have contacted the Department of Public Works. Mr. Hertzberg Chairs Public Works and I have contacted them and I was just going to say, Councilman Hertzberg, if you could follow up for us as Chair of Public Works. I have contacted them for weeks now and those signs are still there and those signs have not been removed. They're going up 18th Street in the South Side, one is at a very bad intersection and there are a number of some other streets, so if you could follow up.

Mr. Hertzberg:

All right. I will be happy to.

The Chair:

It shouldn't take a phone call when they are on public property or parks just pick them up, Public Works, they're riding by a hundred times a day.

Mr. Ricciardi:

Just a different issue, I will try to be brief. Thank you, Mr. President. Councilman Dan Onorato and I attended a town meeting that was arranged by District Attorney Steven Zappala and it was a very beneficial meeting regarding reaching out to the elderly and even David Wecht was there.

But one question keeps coming up at all these town meetings and meetings that I attend and that is the issue of paper streets. And Mr. Onorato was there so there is no embellishment of this problem. But I think we know the problem of paper streets. They are undeveloped pieces of land that the City of Pittsburgh has not dedicated to streets. But there is a real problem out there.

There are paper streets throughout the City of Pittsburgh, taxpayers have a problem regarding the maintenance of paper streets, regarding trees that need to be cut, maybe need to be trimmed, there is a real problem out there. I am not going to go into the details but only to say I am going to once again reintroduce legislation that I introduced on April 9th of 1996 that the administration did not embrace. But once again introduce it and what it does is it is going to ask let's do an inventory of all paper streets in the City of Pittsburgh. Let's do it gradually, see what is out there. See what it would cost to maintain them at the expenses of the City of Pittsburgh. See what needs to occur on them. See if there are any real hazards out there. Some very safety problems in terms of trees itself and maybe just do a pilot program and see what we are able to do within our own coffers. Maybe we see if we can set up a public arrangement where the city and the homeowner that abuts that paper street

maybe will go 50, 50 but we really need to address that problem.

I think Councilman Hertzberg and I still can't remember, I think it is right below the Edge Restaurant there is a paper street that is down there and I remember the constituent down there, and it might have been before you took office had a big sign that said sure we live on a paper street but we also pay taxes.

Mr. Hertzberg:

That street has been paved.

Mr. Ricciardi:

Oh great. Great. So you have done a fine job and took care of it. But I just want to let you know I am going to reintroduce this legislation and I will bet that I have the support of many taxpayers or constituents in the City of Pittsburgh too asking us to address quote paper streets here in the City of Pittsburgh. Thank you.

Mr. Hertzberg:

Just one follow up. I think this is one of the biggest problems is the maintenance of them. I think there is going to be a problem because our administration is taking the position that we have, the city has no responsibility for maintaining paper streets. Well if the city has no responsibility to maintain them then nobody does. Because if you are the homeowner unless the street has been vacated you don't own the property. So who is responsible for those paper streets?

I think that's a big cop out and we may be able to alter. If the administration

doesn't understand that there is a problem there maybe legislation will take care of it. Maybe we have to legislate that we are responsible for maintaining paper streets. Other wise they're just in no mans land. No one has any responsibility there they just sit there and you know they are just an accident waiting to happen and a problem for whoever lives near by.

Mr. Ricciardi:

I think this time around, Mr. Hertzberg, we could and possibly have the support of Mayor Tom Murphy because it takes a partnership as you pointed out, Mr. O'Connor. I recall when he was running and we were up in Arlington and there with his lovely wife and a woman had a problem with a tree. And she was explaining to Mona Murphy regarding the tree is on a paper street and Mayor Murphy he wasn't the Mayor at the time, he was listening very closely. He, I recall him saying that's crazy that is not an excuse that tree should come down.

So I think this time around Mayor Murphy will understand the problem that we're having with paper streets. I am going to reintroduce this legislation. I haven't talked about the particulars because of the interest of time but I think this time around there is support for this.

The Chair:

There are a lot of requests, I get a lot of requests from people to either fix or they will buy it themselves. It seems like to be a very difficult situation for them to do.

Mr. Ricciardi:

I am not even going to change the dates, I will just put it in as is and hopefully John Mascio and Linda Johnson-Wasler will --

The Chair:

A couple of announcements, tomorrow Wednesday, we have a Post Agenda concerning tire deflation devices. I think Chief McNeilly wanted to update us on that and Smokie Heinz from the F.O.P. will be here.

And tomorrow is also Secretary's Day and SIDS is selling baskets for your secretary's. If you didn't buy anything yet, please remember your secretaries. And also Thursday, this pertains to especially the four of us, is bring your daughters to work day. So I can bring my daughter and my three granddaughters and Linda can baby sit.

Mr. Hertzberg:

Normal school day for my daughter.

MR. RICCIARDI moved to adjourn the meeting.

MR. HERTZBERG seconded the motion.

And on the motion made by Mr. Ricciardi, the meeting adjourned.

ADDENDUM

Ms. McDonald's comments on Bill 1421 can be found in the Standing Committee Meeting minutes of April 14, 1999.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXIII

April 27, 1999

No. 17

Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER..... City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, April 27, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Udin	Mr. Hertzberg
Ms. McDonald	Mr. O'Connor
	(Pres't)

ABSENT:

Mr. Ferlo

The Chair:

Will we all please rise for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

Let's especially remember in our prayers the children and families of Littleton, Colorado.

With us today we have a special guest Collin Patton, he is ten years old. He goes to Belmar Elementary School. He is an honor student and citizenship scholar. He is the son of Bruce and Rose Patton and his hobbies are collecting toy cars and he enjoys many sports. He lives in Councilwoman Valerie McDonald's District.

Collin Patton:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you, Collin. We have a gift for you. Collin is also accompanied by Dr. Washington, his principal. I want to thank you for your support of all the youngsters. We have many special guests in the audience today.

PRESENTATIONS

Mr. Cohen:

Thank you, Mr. President. Folks here to declare Bloomfield as Pittsburgh's Little Italy please come up.

Ladies and gentlemen, as you know Pittsburgh is a city of rich ethnic character and diversity and this weekend is marathon weekend, hard to believe that it is here already. And one neighborhood in

our city does the marathon up right. Actually they're many neighborhoods in the city that do it upright but one of them is Bloomfield and Bloomfield is really a wonderful series of events on marathon weekend.

The Bloomfield Business Association sponsors a number of those events and of course they occur right on Liberty Avenue where the marathon passes by in fact one of our own Councilman Alan Hertzberg passed by that spot last year as a marathoner. This year we're doing something special in Bloomfield and that is -- No, he was actually running on his feet. He was not on a bike or a car. This year the neighborhood of Bloomfield is doing something very special and that is to declare the Bloomfield Business District as Pittsburgh's Little Italy.

The ethnic, Italian character of Bloomfield is well known and really is something that makes the City of Pittsburgh a distinctive place. So I would like to read this proclamation and then introduce those who are down here this morning particularly the person who came up with this idea and that is Bob Mariani. He called me several months ago, and is the proprietor of a Bloomfield institution, the Pleasure Bar and I will bring Bob up here.

I also want to say before I read this proclamation that Councilman Jim Ferlo was very, very much a part of this. Yarone, I want to thank him for doing this proclamation. Unfortunately Councilman Ferlo could not be here he's back at home in Rome, New York, on a personal matter. But said that he would have very much like to have been here.

**MR. FERLO AND MR. COHEN
PRESENT:**

No. 1534 WHEREAS, the neighborhood of Bloomfield possesses a strong and proud Italian-American community as well as members of a number of other ethnic groups whose heritage and tradition are reflected in the homes, shops and churches of the charming neighborhood; and

WHEREAS, the Bloomfield Business Association with the cooperation of the Bloomfield Citizens Council, is embarking on an exciting beautification project to enhance the streetscape of Liberty Avenue, the largest segment of the Bloomfield Business District, and the surrounding environs; and

WHEREAS, this beautification project entails making significant aesthetic improvements to the neighborhood's business district by strengthening the area's already distinctive Italian flavor through the addition of flower boxes, flags, and various other amenities; and

WHEREAS, this investment in public improvement, complementing the current effort, exemplified by the addition of a new Veterans Memorial Mural, will at once promote the business and retail environment, please the eye and reinforce the ethnic pride of many of Bloomfield's residents and business owners;

NOW, THEREFORE, LET IT BE RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the Bloomfield Business District as Pittsburgh's Own "Little Italy"; and

BE IT FURTHER RESOLVED, that the Council commends the neighbors,

Citizens Council and Business Association of Bloomfield for their efforts to beautify their neighborhood while paying homage to the proud heritage of Italian-Americans in Bloomfield and throughout the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. Cohen:

Let me introduce the people who are here today. Gloria LaDonne, you all know as President of the Bloomfield Business Association; Vince Palmeire who I am sure all of you know is very active in the Korean Memorial effort; Kevin Donahue who is Italian for the day but is also the leader of the Saint Patrick's Day Parade every year. Mark Mackey, you all know I am sure; Bob Mariani, who I have already introduced.

We are going to present this proclamation to Bob LaDonne who is a democratic committeeman and very active in Bloomfield and also Harry Delsamuto I am very happy to have you here this morning. Let me present this proclamation to Bob Mariani and thank him for this idea, which I think is a wonderful idea. We are going to present this by the way in Bloomfield on the avenue this Saturday at 2:30 at (inaudible) and you are all invited. You don't have to be Italian, but I am going to be there and present this proclamation to Bob Mariani and to thank him for this idea, which I think is a wonderful idea.

We are also going to present this by the way in Bloomfield on the Avenue this Saturday at 2:30 at Pearl and Liberty. You are all invited. You don't have to be Italian. Certainly I am not, but I am going to be there and let me present this proclamation to Bob Mariani. Bob, thanks so much for this idea.

Mr. Mariani:

I would like to thank Councilman Cohen and Ferlo for their help in making this come to pass and we would like to invite you all to our marathon festival. There will be any number of vendors on the street selling Italian food and all other kinds of food and crafts and everything. And we would like to just state that the reason for this we think with the influx of people coming with the new stadiums and the convention center and the way Pittsburgh the North Shore is building up, we think that Bloomfield being Pittsburgh's Little Italy will create a destination that people might want to come to see what is going on there. And keep it the vibrant and residential community that it is and has been since forever I guess and that was our reasoning. I hope you all come out and see what it looks like. Thank you.

Mr. Cohen:

I also want to ask Gloria LaDonne to say a few words. Gloria has done just a terrific job as President of the Bloomfield Business Association. She is the only woman in a man's world over there and is doing a great job.

Ms. LaDonne:

I would just like to say thank you to Councilman Cohen and Councilman

Ferlo for this distinguished recognition of Bloomfield. Although I am too not Italian, I am Irish, I take it as a great honor to be part of Bloomfield and to represent the Bloomfield business district. We do have a wonderful business district. It is made up of all nationalities, but our landmarks are all our Italian Restaurants such as Dell's and Pleasure Bar and Lombardoizzi's and Donatelli's food store.

So it is recognition in our community and we do invite you all to join us Saturday for our marathon celebration. Actually Bloomfield celebrates Friday, Saturday, and Sunday. We have a whole weekend of fun and entertainment and I really thank Council for this award. Thank you.

The Chair:

Better invite our two Italian Councilmen to come up to be in this picture.

Will Valerie and the members of the PACE Organization please come up? Doris Carson Williams, we have the Whites. Thank you very much for coming down. We will all keep an eye on him.

Everyone knows this is a big day in Pittsburgh, a big weekend starting this weekend and I will let you explain the details. But PACE is having a dinner. Last year I went to dinner at the Hilton or the year before. And it was a tremendous event and I know this year you put a lot more planning and a lot more into it so I can't imagine, it is really going to be something. So I encourage everyone to participate and I will let the ladies tell us about what is going on all weekend. I will read the proclamation.

MR. O'CONNOR AND ALL MEMBERS PRESENT:

No. 1535 WHEREAS, the Program to Aid Citizen Enterprise (PACE) was established in 1969 as an affiliate of the United Way and has been committed to providing programming to meet the under served and disadvantaged communities throughout Pittsburgh and Allegheny County; and,

WHEREAS, through annual grants from the United Way, PACE has provided financial assistance to over 200 organizations; and,

WHEREAS, working in concert with the Community Based Asset Development Program, PACE has become more aggressive in the areas of training, technical assistance as well as imparting knowledge, skills and strengths to organizations who aid overall community development; and,

WHEREAS, PACE has been designated to receive funds from the "Reunion Weekend" featuring 57 former Steeler teammates who played in Superbowl IX, X, XIII and XIV, including the following:

Rocky Bleier
Mel Blount
Joe Greene
L.C. Greenwood
Franco Harris
Jack Lambert
Donnie Shell
Lynn Swann
Dwight White
Dwayne Woodruff

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend PACE on its ongoing dedication to community development; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare April 27, 1999, as "PACE Day" in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

I will let Doris Carson Williams who is the Chairperson tell us what is going on and introduce our other guests.

Ms. Williams:

We would like to thank you for the proclamation and encourage everyone to come out. It's always fun to welcome all the former Steelers back to Pittsburgh because this is their home in many ways. I would like to introduce Karen Farmer White who is the Executive Director really who has spearheaded this and done a tremendous job to tell you about the activities for the weekend.

Mrs. White:

Thank you. We are real excited about this weekend to have 57 players from that era comeback. I think it is really a once in a lifetime type of experience and I don't know that it will ever happen again. So we would love for as many people to

come down and enjoy this weekend.

Some of the activities will include, 2:30 we will have a kick off where we will have some dignitaries come and make some comments to open up the weekend. At three o'clock the U.S. Postal Service will have a ceremony to make an official announcement of the Steeler Stamp. I don't know if all of you know or not the Steeler stamp won as one of the official stamps of the 70's decade and the Postal Service will be holding a ceremony at three o'clock and then it is a sports and memorabilia collectors show.

There will be vendors that will be selling sports and memorabilia cards. All weekend the players will be giving out autographs. At 7 o'clock there will be a question and answer where all the players will have -- it will be an open forum where the players will be addressing questions from the audience. Saturday is just the show will be going on all day at the Pittsburgh Convention Center in case we didn't mention that, and Saturday night we will have a dinner that is honoring the entire team. Sunday will again be autographs, sports and memorabilia show. There will be an auction Sunday afternoon and it will accommodate with a drawing for Isuzu black and gold Steeler, Steeler weekend truck.

So we hope you all can participate and we're real excited. I want Dwight to come up and say a few words just on behalf of the players.

Mr. White:

Thank you. You know they have been saying 57, I don't know if that's 57 players or probably the average of all the

age of the guys that played there but it's going to be a great weekend.

I would just like to say thank you Council for this acknowledgement. It is now some 25 years later, that's pretty meaningful. But we all share in the period of the great things that happened to us during that period, the pride and success of the team. You know it's great to be able to come back together. I will tell you if you talk to any of the players that live here in Pittsburgh now we will all tell you that as a result of being around during that period contributed to everyone's life significantly and meaningfully. I was very proud to be a Pittsburgh Steeler then and play in this town. And now 30 years later I am still here and I am proud to be a Pittsburgher.

I love this town and we all have a lot to be very proud of. I am just proud to be part of a weekend that is going to reflect back on something that we all have a warm and fuzzy feeling about. So it is great that this is going to happen this weekend and I would like for everyone to come out. Thank you.

The Chair:

Again, I hope everyone comes out and supports the very important week. But you know most of us, all of us watched those games but it was more than just winning football games. I think you highlight that team. I remember I had seven Roy Rogers at the time and we had a Steeler in each restaurant. They were so good to all the kids and not only winning but you gave back all of you and especially they still sign autographs. They still make appearances 25 years later. I think it's openness to the city and just today's athletes could really learn a lot from that

whole team. And you really were roll models for all of us and you continue to be a big part of Pittsburgh.

We want to thank you and one of the big leaders not just in size but are a very important part of the team and our community and I want to thank you, Dwight, on behalf of all of us.

Mr. Ricciardi:

I would like to ask our two guests Lee Ferraro and Rosemary Welsch if they could please come forward. Lee is the General Manager of WYEP and Rosemary is the Program Director also of WYEP.

Colleagues, public radio has become an institution throughout this country and especially in Allegheny County and I believe that this radio station WYEP 91.3 FM has become a model of that institution. And I am looking forward to presenting this resolution to our special guests today.

MR. RICCIARDI PRESENTS:

No. 1536 WHEREAS, WYEP (91.3 FM) signed on the air, from a small basement in South Oakland. Created by several individuals, WYEP was an early pioneer in the national movement that brought independent, non-commercial Public Radio to many communities throughout the United States; and

WHEREAS, Twenty five years later, WYEP continues its original mission of serving Greater Pittsburgh with programming that educates, stimulates, enhances and reflects our community. WYEP remains a national model; and,

WHEREAS, WYEP is now located on Pittsburgh's Historic South Side, with an expanded serving area of 50 miles and 72,000 regular listeners. Eighty percent of WYEP's audience resides in Allegheny County.

WHEREAS, WYEP is celebrating their 25th Anniversary by creating special programming that spotlights local issues and organizations.

NOW THEREFORE, BE IT RESOLVED THAT the Council of the City of Pittsburgh hereby declares Tuesday April 27, 1999 as WYEP Day throughout the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Thank you, colleagues, I am going to ask both of our special guests today to say a few words beginning with the General Manager, Lee.

Mr. Ferraro:

Thank you. I would just like to say on behalf of everyone at WYEP thanks to the community at large for supporting us. We are a non-commercial service which means we don't get a lot of money from commercial advertising which makes it kind of tough to make a living in the media. We wouldn't be here if a lot of people didn't contribute a lot of money over the course of the 25 years and a lot of volunteers in our operation.

So on behalf of everyone at WYEP thanks for the ongoing support both financially and time of everyone in Pittsburgh who has joined us over the last 25 years.

We are hosting an open house this weekend at our studios on the Southside and everyone is welcome to stop down 2313 East Carson Street right by the Birmingham Bridge. We would love to meet some of you supporters who have been there. So thank you very much.

Ms. Welsch:

As a life long resident of Western Pennsylvania, 20 years in the city and 18 years with WYEP it's a great pleasure and privilege to be here in the City Council Chambers. Working at WYEP has given me a chance to work with many of you sitting here. And it has given me the chance to meet so many people in the community, and I appreciate that. It's a great honor to be part of Pittsburgh in this way.

If you would like to find out more about the station, just tune in 91.3 FM, and thanks to City Council. Once again on Saturday from seven a.m. to seven p.m. at 2313 East Carson Street you are welcome to join us and find out a little bit more about your community through WYEP. Thank you for this honor.

Ms. McDonald:

I wanted to commend the station for their efforts in Black History Month. I was impressed I was treated with much hospitality when I arrived at the studios and again it was just a very nice

experience. And what was different is that it wasn't just a little sound byte that was part of your presentation for that month, it was actually real dialogue. It was actually your ability to make sure Pittsburgh hears other Pittsburghers. So again you're to be commended. I enjoyed it.

Mr. Cohen:

I want to thank Councilman Ricciardi for bringing this forward. WYEP has a real following in the City of Pittsburgh and I think really adds to the city in terms of providing alternative media outlet and certainly music that many people in the City of Pittsburgh follow. I hadn't thought of doing this in this forum and acknowledging it, but I am glad Councilman Ricciardi did because this is a very important proclamation.

Mr. Ricciardi:

I would like to ask all of our special guests from the South Hills neighborhoods and especially from the Southside if you could please come forward. Thank you.

Colleagues over the past few months that I have Chaired the Department of Parks and Recreation I continue to become very impressed and amazed and moved by the so many different and diverse programs that Parks and Recreation is offering throughout City of Pittsburgh. And they're positive programs not just programs where maybe a group of individuals get together and maybe just sit down and play cards. We're way beyond that under the leadership of Mayor Tom Murphy and Mary Esther VanShura.

The program today will be a

resolution and I would like to ask Mary Esther if she would then come forward. We are going to have other staff members because without the professional and dedicated staff members of the Department of Parks and Recreation our activities would not be possible and then other staff members will come up and introduce our guests today.

Colleagues, it is just so important that all age groups remain together and have contact with each other. I think when we bring our young people together with our elderly, our young people bring energy, fresh ideas and honesty. A frankness that is just so nice throughout this City of Pittsburgh and our elderly, our older residents bring wisdom. They're a great role model and they bring their ideas to the table and putting age groups together is just the way to go. I think everyone benefits from them. Thank you. I would like to read the resolution.

MR. RICCIARDI PRESENTS:

No. 1537 WHEREAS, April 18-24 has been officially designated as National VolunteerWeek; and

WHEREAS, the Department of Parks and Recreation is committed to the development of intergenerational programming to serve the needs of changing families; and

WHEREAS, the Senior-INTERESTS and Pre-School Programs have fused their energies for the first time for the development of an innovative program focusing on the joint gross motor and cognitive development of young children and seniors; and

WHEREAS, this initiative is committed to building permanent relationships between two groups on opposite ends of the life spectrum; and

WHEREAS, this increased interaction between youth and senior volunteers will develop interpersonal relationships not usually available in traditional programming; and

WHEREAS, this new collaborative has resulted in the development of a grant funded program entitled "Acorns and Oak Trees", for the participants from the Department of Parks and Recreation Pre-School and SeniorINTERESTS Programs.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh hereby declares April 27, 1999 as "Acorns and Oak Trees Day" in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

I would like to ask our friend and colleague Mary Esther VanShura if she could please come forward and start the program for us. Congratulations.

Ms. VanShura:

Thank you for the opportunity to come today and talk about an innovative program of serving the changing needs of families. And as you can see this is a joint

program between our little ones of the pre-school, our acorns, and our seniors, our oak trees.

To introduce our children Bonnie Moss -- I want to tell you Bonnie has been with the Department of Parks for eight years. She is one of the unsung heroes. She is the coordinator of the pre-school and, Bonnie, if you could come and introduce the children.

Ms. Moss:

Thank you very much. First I would like to introduce my staff who really make this program possible through their hard work and dedication. Our teacher Ms. Edith Palino, and her assistant Ida Mae Dosia (phonetic). The kids who could join us today are Chloe Deardoff, Ryan Wesolowski, Robert Hoover, Justin Davis, Calvin Jones, Zakair Garpel, Gabrielle Sally, Ted Kurpil, David Yee, and Justic Boeher. Thank you very much.

Ms. Brown:

Hi, I am Christy Brown the Center Director from Southside Senior Center and I would like to introduce the seniors who are here today who are participating in the program. First we have Alice Bailey who is also the staff person who has coordinated all the efforts with the seniors. We have Loretta Binger (phonetic), Minnie Dalanko (phonetic), Olga Fink, Phyllis Haddock, Stan Haddock, Betty Hawk, Nick Candravy (phonetic), Val Kokazinski (phonetic), Rosemary Crawlich (phonetic), Mary Rogers, Mary Sankey, Fran Sokol and Audrey Tucker. And thank you for all of your time you put into the program.

Ms. VanShura:

I wanted to thank Ray Fisher who joins us today the Program Supervisor for this part of the city does an outstanding job as you know. To really thank all the commitment from the city we want to give a token of our appreciation of our support. And Councilman Ricciardi, as our liaison, I would like to present you with an oak tree shirt for yourself and for your little daughter, Nina, we have an acorn.

We would like to have the children we're going to say thank you and they would like to show you that they indeed are the acorns that some day will be moving on to oak trees so children and thank you acorns. And thank you oak trees.

Mr. Ricciardi:

Once again, I really want to thank all the staff members of the Department of Parks and Recreation for your continued dedication to our seniors and young people. I think all of our colleagues will agree bringing our young people and older people together is benefiting both groups. I am very, very proud and pleased for this program. Thank you and thank you for the T-shirts also.

MR. ONORATO PRESENTS:

No. 1538 WHEREAS, on Sunday, May 2, 1999 "Pioneers" Lodge 1 of the Croatian Fraternal Union celebrates its 105th Anniversary; and

WHEREAS, Allegheny City, now the Northside of Pittsburgh, was the birthplace of Lodge 1 and the entire Croatian Fraternal Union in 1894. It was

founded by Croatian immigrants for their mutual help and protection; and

WHEREAS, although membership of the lodge is spread throughout the Greater Pittsburgh area, the monthly lodge meetings are still held at the Croatian National Hall, "Javor" on East street in the heart of the Northside; and;

WHEREAS, "Pioneers", Lodge 1, was also instrumental along with other local Croatian lodges in the founding of the old National Croatian Society, the forerunner to today's Croatian Fraternal Union; and

WHEREAS, the same individuals who founded Lodge 1 were also instrumental in the foundation of the first Croatian Church in North America, Saint Nicholas on East Ohio Street; and

WHEREAS, "Pioneers", Lodge 1 is still actively functioning 105 years later and still considers the North Side of Pittsburgh to be home; and

WHEREAS, the members of "Pioneers", Lodge 1 are proud of the many contributions they make to the lodge, church, national society, to Pittsburgh and to the world; and

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates the "Pioneers" Lodge 1 of the Croatian Fraternal Union on the celebration of their 105th Anniversary and wishes them continued longevity in the future.

MR. ONORATO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

At this time we will allow anyone who wishes to address Council three minutes. Please give your name and address for the record. Anyone wishing to address Council?

PUBLIC COMMENTS

Ms. Brown:

Good morning my name is Yvonne F. Brown. I live at 2633 Brackenridge Street, that's Pittsburgh 15219. I live in the Hill District.

I come before you today asking that you please bear with me. I received as I listen to the news I received some bad news. When I heard that Dale Fredrick the head of our school district, the President of our I am sorry, not only about Dale but about these other things but the main thing I am trying to say is that I was very upset and saddened to hear that he's leaving.

He was not one of the first ones that we had on the list. In fact, some people felt that there were black candidates with PHD's that were qualified and were not chosen. I met Dale Frederick myself I met with him quite a few times and I say that I felt that he could have done a better job. He tried. The board members did not go along with him even when he tried to fire the head of the chief of security. There were statements that he made that the monkeys could take care of our children. He also does not (inaudible) any problems he escalates it. But the

board made the decision overruling Dale Frederick.

I am going to deviate a little bit more. I want to go on and try to explain to you the reason why I am so upset. We saw in the news about the baby that was found on Burrows Street dead. I live in that neighborhood. I don't live in the projects, my daughter used to live in the building in front of the young lady. I can remember my son introducing me to the lady and I had seen her and sitting out with the children so I seen that baby that is dead. It bothers me and troubles me being a parent and living in the area where we know that there are young parents, young women that are not taking care of their children. But you must realize and I realize as a parent a lot of them are depressed.

We need and I am coming here with a solution for this problem. If we could have women my age the seniors that were here if they could go into the projects and into the homes where the young parents are to try to teach them how to clean, how to take care of the children.

I also had written a program and it is called JUICE Program, it's called Just Using Innovative Community Empowerment. This program is set up in order that we can teach, go into the neighborhoods and teach the young parents about juice and raw vegetables, about using brown rice, brown bread. Could I just continue for a couple more minutes?

The Chair:

Please summarize.

Ms. Brown:

I used up time because I was a little mixed up but what I came for is this. If I could possibly, maybe Sala and I know you're so busy but maybe someone else on the other, one of the Council members could help me petition Mayor Murphy. If we can possibly look into this to try to start a program where we can try to help these young people because our children, our babies are dying and we need to be able to help the children.

If Mayor Murphy could also help me, if he doesn't maybe we could call on Mayor Murphy to help me write a letter to the President of the United States. These young people need help. They are not given a lot of opportunities. This baby should not have been lost in the system. No way the baby should have went home, CYS should have been in there.

There is no sense in standing and trying to put the blame on and I am not. I am coming to you as a mother, a grandmother who sees some of the problems that need to be taken care of. And I am going to try to get in touch with Stanley Lowe, possibly we can initiate this program. The only thing that I am asking everyone in here is if we can come together with solutions. I am not standing here today making negative statements I am not standing here bringing out negative concerns. This is a concern that I have because we as parents, and most of you I understand on Council are, and you know that you love your children. We love ours too. Thank you. And have a nice day.

The Chair:

Next speaker. Please give your name and address for the record.

Mr. English:

My name is Gary English, 1504 Fairmont, 15221. As a former candidate I am cognoscente that political signage's is a necessary evil. For many it is one of the mainstays of getting their name out as the high cost of advertising limit opportunity for name recognition. And as the eternal rights of spring have arrived, so have the plethora of political placards sharing the common theme vote for me.

Last year three wise men on City Council known as Euripides, Eumenides, and Hupocrites pondered a thought of removing all signage from public lands, violating free speech and the first amendment not withstanding. Euripides known for his political grandstanding, dubbed the political signage, litter on a stick.

On March 3 1998, the Lords and Lady passed legislation by a seven to one vote with Lord Udin voting in the negative. The new ordinance prohibits campaign signage on public rights of way in city limits. The legislative intent of this law was to prevent the spoilage of the natural beauty of our countryside and minimize the dangers to chariot drivers as these signs are intended to distract the drivers causing the horses to gallop during rush hour traffic on the parkway.

The only reasonable approach to this issue is to exercise commonsense and respect after the election local government should give the candidates five days to remove such signage then charge them accordingly for not doing so. The main problem is Hupocrites faces is living under a different law. As he seems determined

that we must live under a different law than himself.

However, as these casualties of war primary show, Hupocrites known as Lord Onorato is living evidence that he can't always live within the laws mere mortals must obey. These signs I am told came from public highways. The very ones Lord Onorato was attempting to protect when he voted for City Ordinance 423. According to this ordinance, it not only illustrates Lord Onorato's hypocrisy, but indicates his actions under 423.05, which makes him a public-nuisance.

Lord Onorato, will you admit to your fault, and voluntarily pay the fine you propose others that you subjected to or will you attempt to wiggle out of the very law you voted for the peasants wait your verdict?

Well, Lord Onorato?

Mr. Onorato:

Mr. President, make sure he doesn't respond any more. His time is over. If he does, police please remove him. Let me point out that I will also pay any legitimate fine if they fine me but I will point out that ten of my signs on private property were removed I think by the City of Pittsburgh and we're investigating it or by other individuals.

The City Public Works we have to sit down and we better read the ordinance clearly because it said public right of way signs shall be removed not private property. I find it amazing that we have hundreds of private property, drug houses, abandoned properties, properties that need to be boarded up, torn down it takes years

to do these things but they can remove a sign in three days off of the wrong property. It's unbelievable what Public Works can do when the Mayor makes the phone call.

So anyone listening, I hope you saw that sign, that was free advertisement and I am proud of it. For any of my signs that are removed from private property, I will be sending a fee or bill to the city to maybe put them back up, because the ordinance cannot touch private property. It is called free speech and if anyone tries to interfere with it again and I catch them, I will also be sending a bill out because it is not being implemented wisely. I think there are some political shenanigans going on and my signs better remain on private property if they are up. Thank you, Mr. President.

The Chair:

Any other speakers to address Council? Hearing none we will --

Mr. Ricciardi:

I have another if I may. I want to say Mr. O'Connor and colleagues, I think Ms. Brown has brought up some very, very good points that need some follow up and that is what is happening unfortunately to some very young children throughout City of Pittsburgh. I think we need to make some communication and have correspondence with Robert Nelcon (phonetic), because Bob Nelcon is a gentleman who has been at the cutting edge of the forefront of living life skills, teaching life skills.

Unfortunately and I still have a hard time understanding, I would think

that everyone knows basic life skills, but Mr. O'Connor if you could make some contact with Mr. Bob Nelcon who is running three programs now. I think two in the suburbs including Wilkinsburg and one in the City of Pittsburgh, and maybe we could go on from there.

Mr. Onorato:

Mr. President, on a different note, if I could do a follow up on the previous conversation the gentlemen that just spoke was responsible for putting vote no signs all over public property a year ago. And it's funny that he comes here and speak about hypocrisy but when it is his issue he will litter the city and yet won't even live here to pay taxes. So I really have no respect for somebody who comes in here and basically lies to the public when he puts his own signs on public property throughout the North Side and throughout the entire city for an issue that he thought was important and ignored the city ordinance.

I just want to point that out. That gentleman was personally responsible for littering the entire city just 18 months ago.

The Chair:

I will follow up with Mr. Ricciardi. Ms. Brown, I think you do bring up a very, very important issue. We can probably speak together how do we solve this problem? How do we all work together? And I think it's four young babies in the last month and that's unacceptable. One is unacceptable.

Your talk is over and we don't want to expand right now but Council can get together with you or a group later on to

discuss issues. There are organizations out there maybe they aren't out reaching enough. I think we can all work together to help our children.

It was a very good issue you brought up. Your form if you leave it with Council, we will be glad to review it.

We now move to presentation of papers.

PRESENTATIONS

MR. DIVEN PRESENTED:

No. 1539 Resolution authorizing members of the Fire and EMS Unions to travel to San Francisco from May 5th through May 9th to attend the EMS Delivery System Seminar, at a cost not to exceed \$6,000.00, of which \$3,000.00 shall be paid from the Fire Department, Education and Training Account, and \$3,000.00 shall be paid from the EMS Education and Training Account. —
(SPONSORED BY MR. DIVEN)

Which was read and referred to the Committee on Public Safety Services.

MR. DIVEN moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. ONORATO seconded the motion.

Which motion prevailed.

MR. FERLO PRESENTED:

No. 1540 Resolution Authorizing and directing the Mayor, the Director of General Services, the Director of the Bureau of Information Systems (CIS), and the City Clerk, to enter into an agreement(s), professional services agreement, and/or contract or contracts for the design, development and implementation of a computer based multimedia interactive information kiosk for placement in the lobby of the City County Building to include the purchase of computer equipment, equipment, supplies, communication hardware, software, training and maintenance, at a cost not to exceed Thirty Five Thousand Dollars (\$35,000). --(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance and Budget.

No. 1541 Resolution Providing for an Agreement or Agreements with the Korean War Veterans Association for costs associated with the construction of the Korean War Veterans Memorial to be located in Roberto Clemente Park at a cost not to exceed \$40,500.00.

No. 1542 Resolution Further amending Resolution No. 976, effective January 1, 1996, as amended, entitled "Adopting and approving the 1996 Capital Budget and the 1996 Community Development Block Grant Program; and approving the 1996 through 2001 Capital Improvement Program," by reducing five (5) line items in Engineering and Construction's Budget for an aggregate amount of \$40,500.00 and creating a new line item entitled "Korean War Veterans Memorial" in the Mayor's Office Budget.

Which were read and referred to the Committee on Engineering and Construction.

MR. HERTZBERG PRESENTED:

No. 1543 Resolution Transferring the amount of Two Hundred Thousand Dollars (\$200,000.00) from various Code Accounts within the Department of Public Works to other various Code Accounts within the Department of Public Works.

Which was read and referred to the Committee on Finance and Budget.

MR. DIVEN moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the motion was made so the bill will be on the agenda this Wednesday.

MR. COHEN seconded the motion.

Which motion prevailed.

Also,

No. 1544 Resolution Granting unto Friendship Development Associates 5530 Penn Avenue, Pittsburgh, Pennsylvania 15206 and Bloomfield Garfield Corp., 5149 Penn Avenue, Pittsburgh, Pennsylvania 15224, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a handicap ramp on a portion of the sidewalk area of 5530 Penn Avenue in the 8th Ward, 9th Council District of the City of Pittsburgh.

No. 1545 Resolution Granting unto Shah Chinulal Mafatlal, 5165 Butler Street, Pittsburgh, Pennsylvania 15201, their successors and assigns, an

encroachment to construct, maintain and use at their own cost and expense, a handicap ramp on a portion of the sidewalk area of 5165 Butler Street in the 10th Ward, 7th Council District of the City of Pittsburgh.

No. 1546 Resolution Granting unto Home Depot, Regional Headquarters, 3096 Hamilton Blvd., South Plainfield, NJ 07080, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, an 18" storm sewer encroachment under the sidewalk of East Liberty Boulevard in the 11th Ward, 9th Council District of the City of Pittsburgh.

No. 1547 Resolution Granting unto Valenta Platt Design Group, Inc., 2006 East Carson Street, Pittsburgh, Pennsylvania 15203, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a double-faced projecting sign over the sidewalk area of 2006 East Carson Street in the 17th Ward, 3rd Council District of the City of Pittsburgh.

Which were read and referred to the Committee on Public Works, & Environmental Services.

MS. MCDONALD PRESENTED:

No. 1548 Resolution Providing for an Agreement or Agreements, with various community organizations for operational/administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh and further, authorizing various departments to enter into contract or contracts or use existing contract or

contracts for the purchase of equipment and/or furniture at a cost not to exceed \$1,182,175.00.

No. 1549 Resolution providing for an Agreement or Agreements with Community Based Organizations for community and economic development planning assistance in various neighborhoods in the City and providing operating support for these groups in an amount not to exceed \$900,000.00

No. 1550 Resolution providing for an Agreement(s) and Contract(s) with Consultant(s) and Vendor(s) to assist the City in improving its Citizen Participation Process and providing for the payment of the cost thereof, at a cost not to exceed \$215,000.00.

No. 1551 Resolution providing for an Agreement or Agreements or Contract or Contracts, or use of existing Agreements or Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of conducting planning and management studies, and related activities in support of such studies including the purchase of data and data analysis equipment, at a cost not to exceed \$225,000.00.

No. 1552 Resolution Providing for an Agreement or Agreements or Contracts, or use existing Agreement(s) or Contract(s) with consultants, vendors, and/or contractors for the purpose of planning and/or implementation costs of the Saw Mill Run Transportation Study Project and related costs in support of this project, at a cost not to exceed \$69,000.00.

No. 1553 Resolution Providing for an Agreement or Agreements with the

URBAN LEAGUE OF PGH., for the implementation/administration of the HOUSING COUNSELING PROGRAM, and related costs, in an amount not to exceed \$100,000.00.

No. 1554 Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or rehabilitation of neighborhood facilities; and for administrative/operational costs, maintenance, purchase of equipment, and/or rehabilitation of neighborhood facilities of various departmental programs/projects for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$582,279.00.

No. 1555 Resolution Providing for an Agreement or Agreements, in a form approved by the City Solicitor with the Jewish Healthcare Foundation, to provide administrative and operating expenses, housing and housing related supportive services to persons with HIV/AIDS and their families, at a total cost not to exceed \$491,000.00, chargeable to and payable from the HOPWA Trust Fund, 566100-2650-110000-H1999-2216302-1999.

No. 1556 Resolution Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1999 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for

certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories.

No. 1557 Resolution Amending Section 3 of Resolution No. 45, effective February 18, 1999, entitled Adopting a Tax Increment Financing Plan presented by the Urban Redevelopment Authority of Pittsburgh creating the Fulton Building Tax Increment Financing District, and making certain findings" (Council District No. 9)

No. 1558 Resolution Authorizing the Urban Redevelopment Authority of Pittsburgh to Acquire all of the City's Right, Title and Interest, if any, in and to the following Publicly-owned Property in the City of Pittsburgh (Council District No. 3):

18th Ward
15-G-296 B/L
135 Freeland Street

18th Ward
15-G-297 B/L
137 Freeland Street

18th Ward
15-G-298 B/L
139 Freeland Street

18th Ward
15-G-303
201 Freeland Street

18th Ward
15-G-304 B/L
203 Freeland Street

Which were read and referred to the Committee on Housing, Economic Development & Promotion.

MR. ONORATO PRESENTED:

No. 1559 Resolution Providing for an Agreement or Agreements or Contracts, or use existing Agreement(s) or Contract(s), with consultants, vendors, and/or contractors for the purpose of planning and/or implementation costs of the Hazelwood Second Avenue Development Project and related costs in support of this project, at a cost not to exceed \$27,600.00.

No. 1560 Resolution Providing for an Agreement or Agreements or Contracts, or use existing Agreement(s) or Contract(s) with consultants, vendors, and/or contractors for the purpose of planning and/or implementation costs of the Trail Development Project and related costs in support of this project, at a cost not to exceed \$427,800.00.

No. 1561 Resolution Approving a Conditional Use exception under Section 993.01(a)A(27) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to Gildas A. Kaib, Jr. for authorization to construct three, two-unit townhouses to be located at 19-21, 23-25, and 27-29 Vinceliffe Street on property zoned "S-A" Special District, Class A, 18th Ward.

Which were read and referred to the Committee on Planning, Zoning & Land Use.

MR. RICCIARDI PRESENTED:

No. 1571 Resolution Authorizing and directing the Mayor, the Department

of Public Works and the Department of Finance to conduct a study of all unimproved rights-of-way, better known as "paper streets" in the City of Pittsburgh. The study shall include the location, condition, use (if any), and estimated cost to open and/or maintain these rights of way. —(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Public Works, Water & Environmental Services.

MR. UDIN PRESENTED:

No. 1562 Resolution repealing items in Resolutions, approved on various dates, authorizing the sale of properties in various wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

508 Richland St.
Robert E. Vance
13th 174 P 16
District #9

50 Cushman St.
Rosemary K. Stull
18th 4 R 270
District #3

1421 Adams St.
Mary D. Lewis
21st 22 F 113
District #6

1505 Allegheny Ave.
Marion Kelley
21st 22 L 197
District #6

504 Jefferson St.
Anthony R. Brown
& Geraldine Reynolds

25th 23 E 74
District #6

327 Gould Ave.
Carl W. Dorow
26th 116 E 246
District #1

43 Schuubert St.
Daniel J. Helt
& Denise A. Helt
26th 47 C 240
District #1

136 Winslow St.
Damell Grisham
12th 124 N 361
District #9

No. 1563 Resolution providing for conveyance by the City of Pittsburgh of certain properties in the 3rd and 5th Wards, to the Housing Authority of City of Pittsburgh for inclusion in the Hope VI Program. Council District #6.

WARD 3

1805 Cliff St.
9-M-123
2-1/2 sty.brk. hse.

1817 Cliff St.
9-M-131
2 sty. brk. hse.,
1 sty. brk. gar.
3,642 sq. ft.

1734 Cliff St.
9-M-219
3 sty. brk. hse.,
1 sty. c. b. gar.
1,292 sq. ft.

1904 Bedford Ave.

9-M-302
1 sty. brk. bldg. (rear)
2,667 sq. ft.

1841 Webster Ave.
9-S-199
2-1/2 sty. brk. hse.
1,472 sq. ft.

WARD 5

37 Davenport St.
10-J-26
2 sty. brk. hse.
1,814 sq. ft.

139 Erin St.
10-J-45
3 sty.brk. hse.
2,306 sq. ft.

206 Devilliers St.
10-J-205
2 sty. brk. hse.
1,725 sq. ft.

2001 Webster Ave.
10-J-208
3 sty. brk. hse. & store
1,430 sq. ft.

850 sq. ft.

2019 Webster Ave.
10-J-232
3 sty. brk. dwg. & sto.
953 sq. ft.

218 Erin St.
10-J-273
2 sty. brk. hse.
2,894 sq. ft.

15 Davenport St.
10-N-44
2 sty. brk. hse.
1,900 sq. ft.

219 Erin St.
10-J-261
Brick Commercial bldg.
2,250 sq. ft.

No. 1564 Resolution providing for conveyance by the City of Pittsburgh of certain vacant lots in the 3rd and 5th Wards, to the Housing Authority of City of Pittsburgh for inclusion in the Hope VI Program. Council District #6.

5 Cassatt St.
9-M-112
1,919 sq. ft.

12 Cassatt St.
9-M-114
2,907 sq. ft.

1803 Cliff St.
9-M-122
892 sq. ft.

1811 Cliff St.
9-M-127
890 sq. ft.

1829 Cliff St.
9-M-137
3,331 sq. ft.

1835 Cliff St.
9-M-143
1,665 sq. ft.

1837 Cliff St.
9-M-146
1,665 sq. ft.

1839 Cliff St.
9-M-147
1,665 sq. ft.

10 Ledlie St.

9-M-173
946 sq. ft.

1858 Cliff St.
9-M-180
2,745 sq. ft.

1850 Cliff St.
9-M-186
1,342 sq. ft.

1843 Monaca Pl.
9-M-186A
1,342 sq. ft.

1848 Cliff St.
9-M-187
2,030 sq. ft.

1841 Monaca Pl.
9-M-188
1,508 sq. ft.

1836 Cliff St.
9-M-194
6,875 sq. ft.

25 Monaca Pl.
9-M-195A
1,834 sq. ft.

1830 Cliff St.
9-M-195B
1,162 sq. ft.

11 Monaca Pl.
9-M-202
1,311 sq. ft.

5 Monaca Pl.
9-M-203
1,427 sq. ft.

4 Monaca Pl.
9-M-204

700 sq. ft.

2 Monaca Pl.

9-M-206

700 sq. ft.

1 Monaca Pl.

9-M-207

700 sq. ft.

1809 Bedford Ave.

9-M-245

2,874 sq. ft.

810-812 Cassatt St.

9-M-246

3,863 sq. ft.

1815-1817 Bedford Ave.

9-M-251

1,586 sq. ft.

802 Cassatt St.

9-M-251A

663 sq. ft.

10 Monaca Pl.

9-M-258

671 sq. ft.

58 Monaca Pl.

9-M-277

9,800 sq. ft.

809-811 Monaca Pl.

9-M-279

885 sq. ft.

1918 Bedford Ave.

9-M-290

1,096 sq. ft.

1916 Bedford Ave.

9-M-293

1,050 sq. ft.

1914 Bedford Ave.

9-M-294

1,156 sq. ft.

1902 Bedford Ave.

9-M-303

600 sq. ft.

1900 Bedford Ave.

9-M-304

1,638 sq. ft.

1864 Rowley St.

9-M-305

1,069 sq. ft.

1852 Bedford Ave.

9-M-306

2,667 sq. ft.

1848-1850 Bedford Ave.

9-M-308

5,354 sq. ft.

1846 Bedford Ave.

9-M-309

2,667 sq. ft.

1840 Bedford Ave.

9-M-314

910 sq. ft.

1838 Bedford Ave.

9-M-315

910 sq. ft.

1848 Rowley St.

9-M-317

778 sq. ft.

1834 Bedford Ave.

9-M-319

2,667 sq. ft.

1830 Bedford Ave.

9-M-320A
1,200 sq. ft.

1911 Webster Ave.
9-M-324
2,667 sq. ft.

1729-1731 Bedford Ave.
9-S-37
2,838 sq. ft.

1801 Bedford Ave.
9-S-38
1,690 sq. ft.

1834 Rowley St.
9-S-44
980 sq. ft.

1822 Bedford Ave.
9-S-46A
1,474 sq. ft.

1824 Bedford Ave.
9-S-45
1,280 sq. ft.

1812 Bedford Ave.
9-S-51
1,551 sq. ft.

1810 Bedford Ave.
9-S-52
1,914 sq. ft.

1815 Rowley St.
9-S-53
672 sq. ft.

1813 Rowley St.
9-S-54
668 sq. ft.

1806 Bedford Ave.

9-S-70
2,823 sq. ft.

1900-1902 Webster Ave.
9-S-211
5,594 sq. ft.

1819 Enoch St.
9-S-231
564 sq. ft.

1815 Enoch St.
9-S-231A
560 sq. ft.

1817 Enoch St.
9-S-231B
542 sq. ft.

1936 Bedford Ave.
10-J-195
1,251 sq. ft.

WARD 5

39 Davenport St.
10-J-27
1,166 sq. ft.

2032 Webster Ave.
10-J-33
954 sq. ft.

141 Erin St.
10-J-44
2,366 sq. ft.

2000 Bedford Ave.
10-J-196
1,300 sq. ft.

2004 Bedford Ave.
10-J-198
2,779 sq. ft.

202 Devilliers St.
10-J-207
657 sq. ft.

2014-2016 Bedford Ave.
10-J-216
2,535 sq. ft.

2018 Bedford Ave.
10-J-218
1,248 sq. ft.

24 Shipton St.
10-J-220
6,000 sq. ft.

26 Shipton St.
10-J-224
1,587 sq. ft.

4 Shipton St.
10-J-226
1,497 sq. ft.

3 Shipton St.
10-J-227
1,492 sq. ft.

2 Shipton St.
10-J-228
3,073 sq. ft.

15 Seal St.
10-J-245
2,500 sq. ft.

2030 Bedford Ave.
10-J-251
1,472 sq. ft.

2032 Bedford Ave.
10-J-252
1,472 sq. ft.

2034 Bedford Ave.

10-J-253
1,472 sq. ft.

209-211 Erin St.
10-J-263
2,160 sq. ft.

220 Erin St.
10-J-272
2,422 sq. ft.

216 Erin St.
10-J-274
3,360 sq. ft.

2101 Webster Ave.
10-J-275
2,100 sq. ft.

2109 Webster Ave.
10-J-279
2,200 sq. ft.

2111 Webster Ave.
10-J-280
1,570 sq. ft.

2115 Webster Ave.
10-J-282
1,472 sq. ft.

2119 Webster Ave.
10-J-283
1,723 sq. ft.

2121 Webster Ave.
10-J-284
2,986 sq. ft.

2123 Webster Ave.
10-J-285
2,058 sq. ft.

2127 Webster Ave.
10-J-287

2,100 sq. ft.

2129 Webster Ave.

10-J-288

1,758 sq. ft.

2135 Webster Ave.

10-J-289

2,076 sq. ft.

2137 Webster Ave.

10-J-290

1,600 sq. ft.

2141 Webster Ave.

10-J-291

3,150 sq. ft.

2151 Webster Ave.

10-J-297

1,920 sq. ft.

2153 Webster Ave.

10-J-298

1,920 sq. ft.

2155 Webster Ave.

10-J-299

1,916 sq. ft.

105-109 Perry St.

10-J-316

4,320 sq. ft.

4 Fir Way

10-J-324

1,083 sq. ft.

No. 1565 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

2164-2166 Centre Ave.

Victor Grisby

5th 10 P 109

District #6

7211 Kedron St.

Jeffrey B. & Wanda Rollins

13th 174 B 289

District #9

214 Kaercher St.

Robert G. & Roberta M. Labishak

15th 55 A 254

District #5

2314 Arlington Ave.

Jeffrey S. & Anita L. Knoch

16th 13 L 240

District #3

1321 Adams St.

Michelle D. Jamison

21st 22 F 141

District #6

858-860 Spring Garden Ave.

Joseph W. Schivins

23rd 24 E 134

District #1

862-864 Spring Garden Ave.

Joseph W. Schivins

23rd 24 E 136

District #1

112 Carrington St.

Donna M. Kenney

25th 23 F 176
District #6

Which were read and referred to the Committee on Finance and Budget.

The Chair:

We will now move to unfinished business. Is there any unfinished business to come in front of Council?

UNFINISHED BUSINESS

Mr. Diven:

I just wanted to bring this to the attention of Council. My office has received a number of phone calls from both police officers and firefighters and paramedics in regards to those who of our employees that are either in the reserves or the National Guard. There is obviously some concern with the escalation of activities in Kozovo that at some point in the near future they may be called up to active duty.

In researching this I believe in 1990 there was a Resolution 1400 which was passed, which gave an extension of city benefits to make up the difference of those city employees who were called up to active. So that they didn't experience a financial setback as a result of their service in the Golf War.

I hope that as Council we can direct personnel and civil service to kind of prepare this legislation ahead of time. So that a side from the concerns of being called up to active duty to go into a country that's brought with crises, they shouldn't have to be in a position to worry about whether or not they're going to make

their mortgage payments.

So if we could have personnel and civil service and finance take a leadership role in drafting the same kind of legislation for whatever happens in Kozovo, I think it would be a good proactive step. Just to ease the minds of those city employees who are currently in the reserves or the National Guard and are waiting or expecting to be called to active duty. So that's one thing that I would hope Council can take a leadership role on.

The Chair:

You're also I guess requesting to see if it is not on the books to put it back on the books?

Mr. Diven:

Yes, sir.

The Chair:

All right. We will send a memo to the Law Department and to let us know.

Mr. Cohen:

As one of the veterans on Council, veteran Council members, I remember quite well us passing that resolution for the Persian Golf War for the military men and women. I think that's a good idea to do it this time. I thank Councilman Diven for bringing it up.

The Chair:

We will expect to hear back before the end of the week from the Law Department. As soon as possible if not, you can put in emergency legislation. I am

sure it will have every one's support and thank you for bringing it up. Anything else under unfinished business? If not move to Committee Chair Reports.

CHAIR REPORTS

Ms. McDonald:

Thank you Mr. President. First of all there are two items. One is the TIF committee had formerly met. We had representation from Council President O'Connor's Office as well as Councilman Diven, two School Boards members and county officials as well as URA officials. There was quite a bit of dialogue and there will be another meeting set within a couple of weeks. To finalize not to finalize but to get something's straightened out as to the process, what are we -- what do we feel this committee really should do and should not do.

The one consensus is that this committee will be the entity that does the review prior to any legislation coming before, Council, City Council, coming before the Pittsburgh School Board, coming before the County Commissioners. It must receive an okay from the committee prior to. If it doesn't it is kept in that committee structure until things are worked out. That way it will prevent a lot of discourse, a lot of contention and actually what we would have everyone on board if it were done in this manner.

Again, it is basically to present some of the problems that we seen in the past where one governmental body is operating in a vacuum and then we have two or three different decisions going on.

In the future we want to make sure

we avoid a quorum for reasons that is explicitly stated in the Sunshine Act so it will be myself and whomever else is interested. Councilman Diven was there quick because of his interests and concerns about a lot of the TIF's so the first three individuals from Council or Council members that's it. You can send representatives and that way it avoids a quorum. But as far as actual Council members being present it must be four or less. And that goes for School Board as well.

So again you will get notice of the next TIF committee meeting. There are a lot of details, a lot of information that is there that is not basically part of the Council discussion because it is a lot of the preliminary information that evolves into an actual legislation piece for us.

There is also concern about the keeping integrity of the historical nature of some of the Forbes and Fifth corridor in terms of the urban retail project. I will be asking for the Pittsburgh History and Landmark to convene a meeting with Council members to discuss their concerns. There seems to be not necessarily an impasse but there is definitely a difference of opinion in terms of how much to demolish and how much to keep. My concern is to the Candy Rama. That's a landmark. And just a notion of having that tumble down boggles my mind.

So again Council is going to be the body that ultimately is going to approve a plan or not. So I believe it would be proactive to be able to hear all the different sides of the story so that we can make an informed decision and hopefully come up with resolutions so that when we do vote

on it, it is very quick. That will be forthcoming very soon to discuss that and to discuss the Lord and Taylor Building because there is a problem there.

Now interesting this is news to me too in March of 1999 the Pennsylvania Industrial Development Authority Loan in the amount of \$144,000 was obtained through PEIDC to assist a young company in acquiring the former Eat'n Park Restaurant on Washington Boulevard. It used to be a restaurant Eat'n Park one time, it changed and now it has been desolate and abandoned. Well it is purchased. In the East Liberty enterprise zone it's going to be converted into a research facility not a restaurant. Now listen to this, it is called Prolume Limited -- P-R-O-L-U-M-E. Prolume has patented genes arrived from sea creatures which can be eliminated for use in cancer research. So this will be a research facility on Washington Boulevard.

The Stagnos Project, Stagnos Bakery is 40% complete, will retain 50 jobs and create an additional 17.

The ribbon cutting ceremony for the new Giant Eagle Perishable Foods Distribution Center in Broadhead Manor is scheduled for May 28. I know news to you too, Alan. May 28.

Mr. Hertzberg:

That has to be tentative a Tuesday or a Wednesday.

Ms. McDonald:

Probably that is a Tuesday or Wednesday. I haven't looked on my calendar. It is tomorrow. No, it is May

28. And it will retain 171 jobs in Pittsburgh and add another 48.

The Home Depot has selected its contractor. It will be RE Crawford of Springdale, Pennsylvania so we're using a Pennsylvania firm. Chuck Powell of the URA has met with Gary Solomon Construction Supervisor and RE Crawford to insure that a minimum of 35% minority and women owned businesses participation and sub contractors will be involved in this project. And again the grand opening is slated for the fall.

And lastly the South Side Works, okay Mr. Ricciardi, I am not going to read all this. It's boring. We all know what we just voted. But the second component to begin in 1999 is expected to be the first \$13 million regional headquarters for IBEW, International Brotherhood of Electrical Workers. IBEW will consolidate other efforts in the Strip District into the new location at 29th and Carson. It will include a ballroom educational training component as well as office space. And these dates are off right now. But I don't know they're expected to be starting soon. Like in May of this year.

The third component of development will be undertaken by the Pittsburgh Industrial Economic Development Corporation, the PEIDC, which is an arm of the URA. It will involve a new life science center, a biomedical office facility, housing regional biomedical, biotechnology and software start up companies. All together the URA expects these efforts of the Southside Works project will begin to exert considerable pressure on the balance of property allowing the authority to more easily entice developers for more lucrative job creation efforts. A build out of the SS,

of the South Side Works development total. Private investment is expected to reach \$230 million and will provide up to 5,200 employment opportunities. And in addition to the job creation potential of such development public access to the riverfront will be created.

I am available -- there is so much stuff. I can only touch upon certain projects and highlights. Thank you, Mr. President.

Mr. Udin:

I want to thank Councilwoman McDonald for giving leadership to the tax increment financing issue, and apologize for not being able to attend that meeting. I fully intended to be there to express some concerns that I have and I will take this opportunity to request that the tax increment financing district take up the completion of the intent that Council had when we added certain amendments to the tax increment financing legislation.

If colleagues will recall we added a section that requires people who are applying for TIF's to submit plans for including Pittsburgh residents as in the new jobs that are to be created by these TIF's. However, it seems that we failed to go far enough to designate some department within the city or some authority that would receive that information and follow up to make sure that those TIF projects that come forward with plans actually implement those plans. And provide data on an ongoing basis to demonstrate that they are implementing the plans and that residents of the City of Pittsburgh are getting some job benefits and contracting benefits from their tax dollars.

So we need to, perhaps the administration needs to figure out who is it within its structure of the administration is going to follow up on this portion of the ordinance. There needs to be someone. In addition to that we may need to amend the TIF's in order to require that TIF applicants submit the data to whoever it is that's going to monitor it. And that monitoring source needs to be required to submit periodic reports to Council on the data that it is receiving from these TIF applicants. That includes pre-construction, construction and permanent jobs.

It is not just a question of how many jobs will be available when you open the doors, but how many jobs are created in the pre-construction professional services. How many jobs are created in construction itself and how many jobs are created in the permanent institution that is built. We have a first source ordinance and a first source program but there seems to be nobody in charge of keeping the records of first source programming and making sure that the first source program connects with the employment program of the TIF applicants. There needs to be a connection there, that connection doesn't exist.

I would suggest that the committee whoever is designated, Councilwoman McDonald, to monitor this data and report this data should begin by going back and kind of a retrospective looking at the TIF's that have already been approved. See whether or not their plans have been complied with the ordinance and then follow up on new TIF's that are forthcoming. And I would be glad to participate in the system in whatever manner I can. But I thank you for your

leadership on this matter.

Mr. Ricciardi:

Thank you. Also I am thankful, I would like to thank Councilwoman McDonald for bringing that information forward.

Colleagues, I am very excited and grateful for the amount of projects that have occurred and the amount of dollars in terms of development that has happened in District Three. The Southside, Allentown, Knoxville and Beltzhoover and hopefully in the future Arlington and what is happening in South Oakland. But at the same time I am mindful that I believe all neighborhoods should benefit from the economic development fund, from federal dollars, from our Urban Redevelopment Authority and for example some neighborhoods continue not to show progress in terms of development and receiving some of these benefits.

Once again as we have heard from Councilman Diven, out of the millions and hundreds of million that have been spent on economic development in his district, neighborhoods such as Brookline and Beechview and Carrick has received only \$86 thousand so something is wrong with that. Now the administration has stated in the past well it is deal driven. I think there is a little more to that. It is actually targeting and making a commitment to certain neighborhoods.

For example and I really mean this in all earnest, I commend Councilman Hertzberg. Some of the communities that he represents now have in the past been not benefited from development and dollars. Councilman Hertzberg shows up,

look at the beautiful development that has happened in Westwood, the amount of dollars that have been spent private and public in those areas. Look at what is happening in Mount Washington with those very upscale units that have been put up and I guess Councilman Hertzberg has more of the details on it.

But once again I don't want to hear from the administration it is deal driven because it is really a commitment by the administration and the URA to actually create and explore these deals. It is not right that some neighborhoods throughout the City of Pittsburgh probably in the North Side and East End also, but I can definitely speak to the ones that Councilman Diven represents, he's correct something is dead wrong there, Mr. O'Connor. Taxpayers from Brookline and Beechview and Carrick I would venture to say if you look at their property tax that they are definitely kicking into our coffers and their coming up short.

So I would support anything by Councilman Diven because I think he has to be accountable and responsible to the taxpayers in his districts and the voters. And they're short \$86,000. I would like to know what is going to happen with that Council District.

Mr. Diven:

First of all, I would like to thank Mr. Ricciardi for his vote of support. I would like to point out that we have been working very hard to get some kind of investment. I understand that the administration says that they are deal driven, but I would like to point out one concern that I have in regards to our Executive Director of our URA serving as

in a joint capacity as both city and county Economic Development Coordinator. We worked for six months to put together a meeting where we had business owners and the landlord's of the business district along Brookline Boulevard. We brought them together and we tried to make an informative seminar to start to build a consensus as to how we could get improvements made to that district including the street face program.

Now I am sure Council is aware that right now the streetface program is not something that can be used in a non-CDBG eligible neighborhood, but there has been talk from the URA and from members of the administration of creating a program and tailoring something to fill that void. Well when we had this meeting, I personally talked with Mr. Birru two times and invited him to this and told him it was important if he could make it to the meeting. My office contacted his office and made sure it was on his schedule, as well as the community organizations contacted him and made sure it was on his schedule. Now when we had the meeting, he never showed up in Brookline and he never called and said that he couldn't make it. I just think that's unacceptable because we had 60 some people all who had a vested interest in improving that business district there awaiting some guidance from the administration.

Here was a perfect example of if they say it is deal driven here was the deal. We had these people together with the idea that they wanted to do a streetface program. I understand the staff has worked very hard at the URA. But the staff cannot stand up and make a commitment to those business owners and

those landlords that yes we will put together a program to accomplish the goal of getting the streetface done and that's just not acceptable. The thing that bothers me the most is I had the opportunity to talk to Mr. Birru the next day at the groundbreaking ceremony. I said I am disappointed I wish you were there it would have gone a long way as far as getting these people together and starting to build a consensus of how we wanted to proceed with the streetface. But I understand that that was the wrong place to talk business and I asked him to spare some time so we could sit down and talk about this.

It's now three weeks later and I still have not received any call or any kind of notification from him. So if we're paying him to be the Economic Development Coordinator for the City of Pittsburgh and he's off working for the county at the airport then we have got seven neighborhoods that don't have someone championing their cause. Especially when you have community organizations that need guidance and need assistance from the URA to start to put together these deals. And if not there then we really need to evaluate whether or not we're getting the best deal when we talk about sharing such an important role as an Economic Development Coordinator.

That's something that I have a concern with because just out of respect for a member of Council there should have been a phone call or a meeting set up very soon after that conversation that we had. And to this day we still have not received any notification from him in trying to build bridges and put together a team that is going to come out into my district and actually work at cultivating the kind of

development that the rest of the city seems to be getting just a boom in. We haven't received anything.

So I appreciate Mr. Ricciardi's comments. I think that having more support on Council will make it easier and give the people of the Fourth Council District the leverage they need to put a spotlight on and make it a priority. So I am going to continue to fight. But I did have to register my disappointment in really calling the question whether or not the city's getting the short end of the stick by sharing an Economic Development Coordinator with the county and if we don't have him there when we need him to development in the city.

Mr. Onorato:

I just want to, I just want to add to the conversation my perspective of it because I think there is a piece missing here. I do not know who came up with the term that this is deal driven. As far as I am concerned what I have learned my two terms here on Council, I don't believe it's deal driven. I believe it's fund driven.

What I say by there are certain types of dollars that can only go certain areas. We all know that CDBG have to go to census tract areas in the city and all of the city doesn't qualify. You also have investment credits that apply to certain areas pending on income levels, which is great and fine and that's why those dollars are set aside but the problem the city has is we take the CDBG dollars. We take the IRS credit investments and then we say okay to make the deal work, there is a piece missing we must put some bond money in there too.

So what is left out of the deal are the neighborhoods that don't qualify for CDBG federal dollars, that don't qualify for the IRS Credits. And therefore they see their bond money being put into the deals that are driven by the federal and state dollars and tax credit dollars and the neighborhoods that are just out there struggling on their own, don't get the benefit of any of the money.

I have been arguing over and over again that we should maybe start by using the bond money, which is city bond money, start in the neighborhoods that don't qualify for any of the other money. It is the Brookline, the Beechview, the Brighton Heights the Squirrel Hills, all around the city neighborhoods that do not qualify for these so-called special dollars. Yet those special dollars are sucking away the city dollars that could be going to these other neighborhoods. Somebody has to do a comprehensive plan and see that we take care of all these neighborhood. I don't buy that they are deal driven.

These are dollar driven and the dollars are dictating where these go and it is the bird to get away from the areas that historically have not received it, that have been on auto pilot and they can't make it on their own without the infrastructure being attended to. We just had a debate what four weeks ago to put \$4 million back into resurfacing the roads. Public Works has to start refocusing back on the infrastructure of this city and not worry about free speech that happens to be on someone else's right of way.

Mr. Hertzberg:

On the TIF issue, I want to thank Councilwoman McDonald for stepping up

and taking on that, and convening the committee. I heard some interesting comments yesterday. I was at an SPC, formally SPRPC, meeting and they were talking about a proposal for some legislative amendments. The whole subject attacks increment financing was of course given to us by the state legislature. They set up the perimeters of it and so there was some discussion about some possible amendments to the state legislation.

I guess part of-- one of the problems is that the school districts give up whatever they give up in a TIF but then when the state calculates the state assistance to that district, they count that in as if the school district is in fact receiving it. So that was one of the problems and there were like six of them.

It was interesting, the Mayor of McKeesport, Mayor Bendle (phonetic) brought up another issue that wasn't one of the legislative packages that seemed like a very good idea and I thought I would throw it out for everyone to think about. He's trying to deal with the same problem we're talking about where we set up a TIF. It is paid for out of the real estate taxes and then people come in and work and they aren't residents. We are trying to find ways to make sure they are residents. Why can't we use the wage taxes generated by the jobs at these facilities?

I don't believe the legislation allows you to today, but what if we change that legislation and you have a company that comes in and we're unable to get them to hire people around here or they hire some they don't hire the rest. What if the wage taxes that are generated there are captured in a TIF and used to pay back the

TIF regardless of the residency of the people that are working there? And not only the wage tax that would be payable to the local municipality, what about the state income tax that is generated by the new jobs created by this TIF? So there was a couple of what I thought were good ideas that would help out with some of these TIF's so it is not completely the real estate taxes that we're giving up out of our general operating fund when we set up these TIF's.

Ms. McDonald:

Hopefully this will be the last so we can move on. I appreciate all the comments. I appreciate Councilman Hertzberg's comments that will be looked into.

The one thing that when you spoke of School Board. Understand that the School Board also has TIF legislation that is a slightly different but not much from the City of Pittsburgh. And in the TIF committee what we did is or what the URA had done is generated all the requirements for that the city has passed in terms of its ordinance. Then the School Board as well as the county and dotted each one as to what has to be done, what has to be fulfilled in terms of the ordinance requirement for each legislative body. So it is almost like a checklist, like a punch list. And what I had asked at the last TIF committee meeting if they could combine that so that it would be clear. So it wouldn't be redundant where we are on board fine just have that as one line item and where we differ, make sure we delineate those.

The School Board particularly was quite vocal at the last TIF committee

meeting about the lack of communication that it seems as though the city operates or the deal is made and then they are supposed to go along with it. This is why I think the committee was extremely efficient in terms of the dialogue because we needed to hear that information. We needed to hear their frustrations. We need to hear the county's as well so we are all on board with this.

So again this is a wonderful opportunity for all governmental bodies to talk to one another about their revenues and we will be dealing with that. The School Board is going to be considering legislation that restricts their even passing any TIF legislation if they have not received adequate communication and that will be very clear as terms of what is needed for them to make an informed decision. And again everyone has to be on the same page.

In terms of Councilman Udin's concern that is part of the TIF legislation and we did discuss that. We discussed employment, monitoring and backtracking. When you come to the next meeting, you will be pleased to hear that we have looked into that. I had asked for them to come back and set up a system so that we can find out where are the jobs in terms of Pittsburgh residents who got the jobs, minorities, and eteteras. It will be done by zip code and they are looking into different tracking systems. We also are dealing with the legalities of mandating a private entity prior to the TIF legislation.

You see a lot of these TIF's were already grandfathered. So these are basically good faith efforts from the TIF committee to encourage the developer even though they are not required to give

us this information to still give us this information and work with us to generate jobs for Pittsburghers.

So again there will be report back on tracking mechanism, who monitors this? All those questions that you just asked were asked at that TIF committee meeting and will be addressed at the next one. It should be probably a long meeting again but these meetings are anticipated to be oh, I would say substantive until a lot of things are worked out.

So again these are things that are already being addressed and I look forward to Council members being at the next meeting to address any other concerns or questions that they may have that they may not have communicated thus far. So again that's basically it for the TIF. I am tired of talking about TIF.

The Chair:

Thank you for that report. But also if I follow up with the TIF. This week we will have you put out an RFP to hire outside evaluators to evaluate our TIF where we have been, where we're going to go. We will have recommendations of Council. We're meeting now. Scott Kunka is evaluating it. He's meeting with the URA to make a recommendation to Council. So that everyone will have input before we make a final decision.

Also we want to take it to the School Board and being involved with the URA we will have county input too. So I think that's very important. I can elaborate for quite a while on what has been said from what Mr. Udin mentioned about the job follow up. I would expect this evaluation to do that for us. But we

certainly can't wait. I think it is a day-to-day business decision that we make sure those jobs are evaluated and are working.

The key thing is the TIF working and I understand and I don't have the chart in front of me I meant to bring it down. Ms. McDonald, what you said there are three different view points of how the TIF is working, the city, the School Board and the county all have different ideas and are different guidelines and we certainly have to all be on the same page.

There are two LTV programs right now that the School Board has questions about. So I don't think we're going to go anywhere the way it is now until we solve these problems. So it is very, very important that we get to the bottom.

Ms. McDonald:

I have one more thing. I look forward to that. I applaud your leadership in trying to direct Council into what is the best policy for TIF's and where are we at now, basically a checkpoint system. We need that and the sooner the better.

In response to Councilman Diven I do have to come to Dr. Birru's aide at this time. We have beaten up on Mulugetta Birru endlessly because he's not in these Council chambers except on Wednesday. He tends to keep a low profile. He's not very loud and vocal. He's not a politico so to speak like us. But in all fairness if they're under the committee that I have been assigned, if they're serious concerns about the efficiency, efficacy of development that is going on in a Council District, just do myself and Dr. Birru and Councilman Hertzberg who is a URA

board member the courtesy of letting us know. I will be more than happy to convene a private meeting so we can air everything out, get all of our frustrations out. Dr. Birru can be there, whomever you want and get it straightened out there.

It really doesn't make -- just doesn't make me feel like a good policy maker to always have to bash a person and nothing ever gets done except a lot more tension, a lot more animosity, hostility. I would rather -- my philosophy is you get more flies with honey than with vinegar. So let's let me be able to convene a meeting between Councilman Diven, Councilman Ricciardi, whoever has problems with the development in their district, I should say the lack of development that they perceive, and speak with Dr. Birru as well as any other representatives that you feel are necessary at that meeting. So that we can possibly come to some resolution or at least some middle ground.

I think you will find that even though Dr. Birru works for the city and county he is not the commissioner and he is not the Mayor. The reality is that the Mayor and the commissioners set their agenda. It's their political will as to what goes on in what district that's the bottom line. And Dr. Birru is very good at fulfilling those policies, those missions. If there is development that is targeted for a certain area, believe me that is the political will of the Mayor or commissioners or both. If it is not happening instead of directing the hostility or the frustration at the Executive Director, I would rather the Executive Director come forward and talk very clearly and candidly as to what their assignments have been, what their missions are, what their personal feeling are? Maybe it differs from the Mayor or

the commissioners. But again I would rather just to have a meeting of sorts to air it out, a private meeting. That's how it is done.

Mr. Diven:

I just want to -- I want to thank Councilwoman McDonald because definitely I will follow up on this and your help in this matter would be greatly appreciated. But I would like to say that I have been here a year and a half now.

I have had a number of conversations with the Mayor. I have had a number of conversations with Tom Cox. I had a number of conversations with Mulu and his staff and even regarding this meeting I had a number of conversations with staff people that I have seen during Council business and told them that I was upset. I wanted to speak with Mr. Birru and the only thing that I have to state is you can talk until you're blue in the face, it comes to a point where it's almost like the more you bad mouth the administration the more you get out of them. I didn't set that policy.

I am just learning the rules of Council here and my thing is if that's what it takes, if the squeaky wheel gets the grease, I mean I am more than happy to be a team player. I have tried to be a team player and I have talked and I have talked and I haven't seen any results. I get comments like oh we're going to get around to it, or we're going to do this. I have seven neighborhoods that I represent. I can no longer afford to be as patient as some people would like. If it takes yelling and screaming, then that's what I was elected to do. But I would rather work quietly and work with you and I appreciate the offer to be a part of helping to build

those kind of bridges that are going to make development in this district more of a chance of happening. I appreciate your offer to be a part of that.

But just from what I have seen in a year and a half, the squeaky wheel gets the grease, and if that means standing up on a soap box and berating the administration then that is something as a Council member I have to do.

Ms. McDonald:

Thank you. I thank you for your patience and thank you for at least being amenable to a meeting. We will see, I think we will get some where.

Mr. Diven:

Thank you.

The Chair:

I guess you have been keeping an eye on those two veterans, Ferlo and Ricciardi. I believe there are some frustrations and if it can't be done in a private meeting, we may have to call a Post Agenda to air everyone's concerns out. Especially Brookline, Beechview, I have neighborhoods, quite a few of us have neighborhoods, who have been neglected so we have to address that whether it be how to find the funding or where the bottom line is, but especially the neighborhoods that are paying the taxes.

Now move to reports of committees.

REPORTS OF COMMITTEES

MR. ONORATO PRESENTED:

Bill No. 1566:

Report of the Committee on Planning, Zoning and Land Use for April 21, 1999 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1312:

Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure located at 141 Mayflower Street, and all of the property designated as Block and Lot Number 124-N-095, in the Twelfth Ward, City of Pittsburgh. --- (COUNCIL DISTRICT NO. 9)

Which was read.

Also,

Bill No. 1490:

Resolution authorizing and directing the Directors of the Departments of Engineering and Construction and City Planning, and the Public Parking Authority, to conduct a traffic and parking study of Brookline Blvd. between Pioneer Avenue and Queensboro Avenue to examine improving the availability of parking within the business district. The Report is due within 60 days. --- (SPONSORED BY MR. DIVEN)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills? Hearing none, bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Seven NOES None

Bills have received the legally required number of votes and have passed finally.

MS. MCDONALD PRESENTED:

Bill No. 1567:

Report of the Committee on Housing, Economic Development and Promotion for April 21, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1514:

Resolution approving the Eastgate Redevelopment Proposal, Council District No. 9.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills? Bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES **Eight** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

MR. COHEN PRESENTED:

Bill No. 1568:

Report of the Committee on Lands, Buildings and Procurement for April 21, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1486:

Resolution amending Resolution Number 25, effective February 11, 1999, authorizing a Cooperation Agreement or Agreements which provides for the transfer of funds not to exceed Four Hundred Eighty Three Thousand (\$483,680.00) Dollars to the City of Pittsburgh Equipment Leasing Authority for the purchase of vehicles, radios and equipment for use by City of Pittsburgh Departments and Authorities, by increasing the total allocation by Two Hundred Twenty Five Thousand (\$225,000.00) Dollars.

Which was read.

Also,

Bill No. 1487:

Resolution amending Resolution Number 40, effective February 18, 1999, providing for an agreement or agreements, or use of existing Agreements and/or Contract or Contracts, or use of existing Contracts, and for the purchase of materials, supplies and equipment and/or services in connection with the Renovations and Maintenance of Various Public Buildings and elevators; and providing for the payment of the costs thereof by decreasing the total allocation by Fifteen Thousand Two Hundred (\$15,200.00) Dollars.

Which was read.

Also,

Bill No. 1488:

Resolution amending Resolution Number 26, effective February 11, 1999, authorizing a Cooperation Agreement or Agreements which provides for the

transfer of funds not to exceed Three Million, Seven Hundred Sixty Five Thousand (\$3,765,000.00) Dollars to the City of Pittsburgh Equipment Leasing Authority for the purchase of vehicles, radios and equipment for use by City of Pittsburgh Departments and Authorities, by decreasing the total allocation by One Million Seventy Five (\$1,075,000.00) Dollars.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Bills are now ready for final action. All in favor of the passage of the bills vote aye when their names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor

(Pres't)

AYES **Eight** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

MR. DIVEN PRESENTED:

Bill No. 1569:

Report of the Committee on Public Safety Services for April 21, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1491:

Resolution providing for the advertisement for proposals and to award and enter into an agreement(s), professional service agreement(s), and/or contract(s) or use existing agreement(s), professional service agreement(s), and/or contract(s) for Radio System Equipment, to include upgrades to the City's existing radio infrastructure, for the purchase of equipment, supplies, communication, hardware, software, training, professional services, and maintenance. The total cost of the purchases will not exceed \$207,500.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills? The bills are now ready for final action all in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were.

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi

Mr. Udin

Mr. O'Connor
(Pres't)

AYES **Eight** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

MR. FERLO PRESENTED:

Bill No. 1570:

Report of the Committee on Engineering and Construction for April 21, 1999, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1492:

Resolution providing for a Contract or Contracts, or use of existing Contacts and/or an Agreement or Agreements, or use of existing Agreements and for the purchase of equipment, materials and supplies in connection with the Rehabilitation and Repairs of Various Pools, including but not limited to McBride Pool; at a cost not to exceed \$265,000.00.

Which was read.

Also,

Bill No. 1493:

Resolution providing for a Contract or Contracts, or use of existing Contracts and/or an Agreement or Agreements, or use of existing Agreements in connection with the Bridge Inspection and Maintenance Program; at a cost not to exceed \$85,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills? Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES **Eight** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

The Chair:

Thank you now moves to motions and resolutions.

MOTIONS AND RESOLUTIONS

Mr. Ricciardi:

Yes, thank you very much, Mr. President and colleagues. Colleagues, as everyone knows the City of Pittsburgh in general and South Oakland in particular has witnessed an increase in graffiti throughout South Oakland especially the

Bates Street corridor, graffiti, the destruction of public and private property. As you recall from information that was gathered, supplied by the community, Mr. O'Connor and Mr. Ferlo, I had an opportunity to follow up on what occurred down at the city court. Let me report to you.

I think City Chief Magistrate Simmons did a marvelous job. We had two individuals from the University of Pittsburgh, one age 18 and one by the age of 19. And they were using magic markers not even spray paint cans, but just magic markers. He was very firm and he got his point across.

I was there in court. They have to paint the entire building, number one. They had to plea to disorderly conducts, number two. They had a fine of 300 plus dollars each of them and number four, community service. And this was just individuals with magic markers. Now I will say in the defense of these two university students, they were really caught up in something that they just didn't realize.

They were very remorseful, they asked for forgiveness, they made their apologies and they did fine work cleaning up their mess. They were just coming from a party and they happened to have a magic marker and they thought they were going to write their names. But now with the support of Mayor Tom Murphy and Deputy Mayor Sal Sirabella, the police officers have been very diligent and looking out for the real vandalism actors and I think we found two of them over the weekend on Sunday. And once again Chief Magistrate did a wonderful great job with individuals that used markers.

Here we have two individuals, two juveniles one 17 years of age, one 16, one from Bethel Park, one from West Mifflin. On a Sunday morning at 8:50 a.m. a police officer came about these individuals. One was actually wearing a spray paint mask on his face. Had a mask on his face. So obviously the police officer followed up on questioning. Noticed that he had paint on his fingers. From there he was searched. He had a spray can paint canister in this pocket. They opened up the duffel bag and there were twenty-three cans of spray paint, twenty-three cans.

Now here we have two juveniles on a Sunday morning. They should be spending time with their families, maybe attending a religious service, maybe doing some reading, watching TV, even sleeping, but instead they decided to come to the City of Pittsburgh on the Eliza trail and vandalize public property. I think its PennDot property. I mean that's just unbelievable.

First of all the waste of their time, their effort if they have any talents in terms of art and a waste of money. I just can't phantom all of these variables. I just can't picture getting up Sunday morning making your way to the City of Pittsburgh either by public transportation or by car and then spending 300 plus dollars to vandalize someone's property.

Here is what I am saying. Now I am going to follow these cases through, Mr. O'Connor, and you helped me with the last cases. Unfortunately, and I will have to get some help probably from some of our attorneys on staff here, but on our legislative body, Mr. Cohen, Mr. Hertzberg and Mr. Onorato because

now I am in juvenile court. I am hoping and I am going to make sure that the Masters and I think they're considered Masters there. I am not sure if they are considered judges or CP's but make sure the Masters give out firm discipline and punishment.

I mean if someone with a magic marker received that kind of punishment from a Chief Magistrate I think the good people in Oakland will want to make sure that these people, these two individuals if found guilty, obviously if found guilty, should receive even more so. And I am making a commitment to the South Oakland community that I will be there in juvenile court. That these individuals will be properly punished and embarrassed, they will receive community service, they need to pay for the destruction they performed to city and PennDot property and they're going to make sure they pay the cost, because these are the real graffiti vandals in the City of Pittsburgh. Two individuals, 23 cans of paint, a Sunday morning wearing a paint spray mask I guess in order to protect their lungs from the odors and from what comes out of the spray cans, but once again it is just a shame.

I thank the media for following up on the first job, because it sent a good message but I think you would agree, Mr. O'Connor, because you helped me in the Oakland area, these two kids, if found guilty these two children have to pay the price.

One more caveat to this, I am asking our Solicitor to see if the parents can be held responsible also criminally and here's the reason. If the parents transported these two juveniles to the City

of Pittsburgh, they should have asked what is in the duffel bag? What is in the bag? Where are you going Sunday morning? So I am going to follow up on this. If the parents transported these young juveniles to the City of Pittsburgh I am going to follow up criminally if they can be held responsible for this vandalism to our property. Thank you.

The Chair:

It really amazes me, eight o'clock in the morning on a Sunday morning but Oakland is really being targeted unfortunately. So we certainly thank you and the police department for really watching that. I mean kids carrying duffel bags with spray masks. We have to get to the bottom of this, because Oakland is a treasure that we can't let this proceed. I recall the Columbus Statue terrible, what was done there, and took 20, \$30,000 to fix it so just a joking matter with these kids are pranksters.

Mr. Onorato:

On the same issue. I want to just chime in with Councilman Ricciardi and thank the police for some great work. But, Councilman Ricciardi, if I could have your attention one second. I wish I could give him better news. My experience with the juvenile justice system has been a joke.

As you all recall there was a playground that was burned a year and a half ago and we actually caught the individual, it was a juvenile. I could tell you as far as I am concerned and I am an attorney, Councilman, but I could tell you as far as I am concerned, the juvenile court systems in America basically stand for do whatever you want. Get away with it and

laugh at the system because this individual we're not allowed to show the name, there wasn't a severe punishment and the parents were only limited to liability based on state statute. It is a disgrace. I think that the punishment should fit the crime. We no longer live in the world of the 1950's. This is 1999 and what you just experienced last week in Colorado to these types of acts, there is no punishment any more to juveniles. There is no responsibility or result or effect of what they do. I think that is a shame.

The best thing we can do for our kids in this country, in this city is to send a signal that there is a punishment if you are caught and found guilty for doing stuff like this. Now what do we send, you read in the papers someone was arrested and that is it. You won't know who did it. You won't know what the punishment is and no one knows that anyone paid the price for it. So what are the young kids hearing, they must have got away with it, this is great. I can continue to do it. That's the real problem.

I feel sorry for the police. They go out and do their job and they never see the end result. They see these kids back on the street in three weeks later laughing at them spray painting the same thing or burning the same playground or destroying whatever else they want to destroy. I would like to participate with Councilman Ricciardi through the system on this one because I have some experience through the juvenile court system on vandalism in my district. I would be more than happy to speak up in front of the judge and to explain why we think it is necessary to go public? Why we think it is necessary to have some public humiliation, some public punishment, because there is a benefit to

society to sending a signal that you can't get away with this. These kids are laughing at us right now and they're not kids, these are just young punks that are out there destroying public property. I mean the vast majority of the kids are good but they are all being tarnished now that all kids are bad because of these bad ones get away with it.

Mr. Udin:

Just another point. I would like to have Mr. Ricciardi while he's checking on this prosecution to check to see whether or not these youth have vandalized West Mifflin and Bethel Park where they live? If they vandalized those communities and just ran out of space, maybe they are just addicted and they need help. But if they have left those communities nice and pristine and clean, and decided to come to Pittsburgh to vandalize then it is a different subject. I hope Mr. Ricciardi will find out whether or not they have been vandalizing in Bethel Park.

Ms. McDonald:

Ditto those remarks. Thank you Councilman Udin. Different subject.

University of Pittsburgh. I want to make a motion for Council as a body to submit a letter to the University of Pittsburgh's Board of Trustees urging them to at least have a meeting with the students who are on the hunger strike. To discuss the same sex health benefit issue that has been in the paper just about every day with the University of Pittsburgh. My point is this, it is one thing to take a stand on an issue, its another where there tends, where there seems to be in the public forum this arrogance that the very people,

the very entities that are part of the foundation of the University of Pittsburgh that you don't even see fit to need to meet with or would even want to meet with. Even though they have been on a hunger strike for what, 12 days now, I think they have made their point. All they're asking for is a meeting, a meeting.

That would be like someone out there we're public officials, we're elected officials, what happens if our constituents maybe five of them went on a hunger strike because they couldn't meet with us? I think the public would crucify us and rightfully so. We would deserve to be crucified for something like that.

So again I am urging Council as a body and I am making a formal motion whether you want to vote or not because I am going to send a letter myself asking and urging the Board of Trustees to stop the nonsense for right now. At least meet, do these people a little bit of dignity and meet with them to discuss this issue. If this is what they want, I don't see a lot of sweat and equity being generated to do this.

I don't see what the problem is. I meet with people every day, every day. And the institution that I love, that I am an alumnus of, that I am on the alumni board of trustees engaging with many other people who adamantly support the University of Pittsburgh but are so disappointed. So dismayed at the fiasco that is going on that is going along in this public media that they won't meet with kids, students who are on a hunger strike and that's all they want is a meeting.

I wish the Board of Trustees would understand this, that is the foundation. If

the foundation starts to crumble, you may think that they're little people, little peons, whatever you want think of them as, but if your foundation starts to show cracks, and crumble eventually that foundation will disintegrate. And the whole building is toppled and it only takes a little bit of seepage, just a little bit of seepage, in a foundation to cause a problem. As a University wants to build, wants to expand it needs to engage the support of the community. I think this is the wrong way to go about it.

I really wish someone would get in there and give the board you know lesson number 101 in PR this is not the way to build a coalition, this is not the way to build community support. The least they can do is meet with these students and discuss very candidly the issues and if they disagree that's another issue, but at least to have a meeting with them. That's my responsibility as a public official and the university is a public body. It is a state funded public body. I think that there is some obligation there is some kind of way.

I formally make a motion to submit a letter on behalf of Council urging the Board of Trustees of the University of Pittsburgh to meet with the students of the University of Pittsburgh concerning the issue that they are on strike about.

MR. COHEN seconded the motion for discussion.

Mr. Cohen:

I want to thank Councilwoman McDonald for bringing this up. I will gladly second the motion. What is happening over there at the University of Pittsburgh is truly a shame.

First of all, it's a shame that the Board of Trustees of the university has taken a stand against an equal rights amendment for all people. It's incredible to me. It is beyond belief that a university that is supposed to be an institution of higher learning has taken such a low road by opposing an equal rights amendment that this Council passed. That I introduced along with other members of this Council, we passed it in 1990 as an equal rights amendment for people of sexual orientation and the university is saying that there should not be equal rights.

That issue aside, for the trustees not to meet with these students is in my view irresponsible. They have a fortress like mentality over there when in fact the students are their constituents. They're probably the major group of constituents for the university. Let's hope it is. The university is intended to be for the students. They are giving the impression, Jay Ray Connelly let's take a person, the Chairman of the Board, is giving the impression that he's embarrassed by his own position. That's the impression that we're getting. That he's taken a position he's so steadfast and he's not going to want to talk about it, he doesn't want to talk about it to anyone.

Well as Councilwoman McDonald said she's absolutely right, it receives public money. They have constituencies like the students, like the faculty senate that voted overwhelmingly against the trustees position and over time I said this a couple of weeks ago, I am absolutely convinced that over time the steady drumbeat of opposition is going to cause the University to change its position. A position, which is backward and it is

irresponsible, that I am absolutely convinced of. But for the board to not meet with students who are risking their own lives really is irresponsible. At the same time that we should be urging the board to meet with the students and people, some people may get angry with me for saying this; I would at the same time urge the students to stop this hunger strike.

I admire their courage, what they're doing is practicing civil disobedience, which is a long tradition in our country. I admire their courage. But at the same time if someone were to get ill or to die over this, it would be just a terrible tragedy. I would hope that the students would stop this hunger strike. I am with them 100% on the issue but it has gone on too long now. We're in the 15th day and I am very, very concerned that someone is going to get seriously hurt. But the university needs to do the right thing.

First of all they need to do the right thing and stop opposing the equal rights amendment. But secondly for goodness sake, at least meet with your own constituents, including constituents who pay your bills. So I whole-heartedly support Councilwoman McDonald's resolution.

The Chair:

Discussion on the resolution?

You want to vote on the resolution.
All in favor?

Which motion prevailed.

Mr. Hertzberg:

Thank you Mr. President. A couple of topics. First I got an unfortunate situation in Council District Two. I am going to ask that everyone, Council help and for all the city to help.

An application was filed for an occupancy permit at an address on West Carson Street and the application stated that it was an application for a banquet facility. It sounded very legitimate and the Bureau of Building Inspection signed off on the application. They have not yet issued an occupancy permit. But in the next couple of months what came forward was advertisement in some of these pornographic publications that this is going to be the new nude-dancing place in the area and inviting people to come. In fact some of the people are telling me May first is going to be the grand opening day.

This is located on West Carson Street. It's right next to a facility known as the Onala Club which is a facility that's been a historically an excellent facility for those that are at dependent on alcohol. That place has helped thousands of people and right next door now there are some people that are playing a big time cat and mouse game with our Bureau of Building Inspection and with me. And I am not going to take kindly to it. And I am going to use everything legally that can be used to stop this.

So if they want to run a legitimate banquet facility, that's fine. I think they picked a very poor spot with 20 parking spaces on West Carson Street, a four lane undivided highway type of road to have a banquet facility doesn't make much sense to me. But they want to try to run a nude-dancing place out of there, I am going to

do everything legally within my power and I am asking everyone in Council District Two and throughout the city they're going to try to play this cat and mouse game. They're going to try to open it up as a banquet facility and that's the predicament we're in.

If they are going to insist that that is what they're doing there, we may have to issue the occupancy permit. If they are going to be completely legal, have all the fire code work done and everything else that they have to do under the code, we are going to have to give them an occupancy permit. Then it is going to be up to us to watch what is actually happening there. And that's why I am calling on everyone to keep their eyes open on that facility and report what is really happening there. If it is not what they're trying to fool us into believing this is going to happen there.

Another topic is the Pittsburgh Penguins and I just want to report on some of the mail I have been receiving and I have been receiving a lot of mail about the Penguins. I have a basic save the Penns. I have a letter I am writing in the hopes that someone will do something to help keep the Penguins in Pittsburgh. I am begging and pleading that the city starts to do something to make sure that this team stays put. There was much talk when the Pirates were going to leave but there has been little if any talk about the Penguins. And another piece of mail talking about the effort of that team over the weekend. And telling us you're going to do everything you can do to save the city's hockey team.

I tell you what if you have been watching that team, boy you have a courageous group on the ice down one

game to none, to New Jersey Devils, the leading team in the division. They are the 8th position in the division and they came back strong on the next game in New Jersey. Came back here to Pittsburgh we are down by a goal going into the third period, came back and one that game, they are missing their best player Jaromir Jagr. I mean they have done a lot to make us proud this year, and they have done a lot to make us proud in the past years.

So I have circulated something, which I am hoping may be a way to end the predicament that the Penguins find themselves in. The team is in bankruptcy. Mario Lemieux has submitted the only plan that would take the team out of bankruptcy and there is a major hindrance though to making that plan go through and that is the lease that is held by SMG associates. It is a lease that is costing the team at least five million dollars a year, much higher than any professional hockey team can afford to pay and make it work financially.

I have asked if the power of eminent domain can be used to condemn the lease. The response that I am getting is that it probably can. However, it is the Auditorium Authority that would be the (inaudible) in that kind of scenario. There is also some question I think depending on who you are on what the just compensation would be. I guess the worse case you just basically be buying out SMG for what their future profits would be brought to a present value. But there are also some who would argue that it is not that simple. Particularly with the uncertainty that is out there today with whether the Penguins may or may not be here in the next years, that you can't just look at the profit that SMG has been

making this year and last year and project it into the future. That there is an unknown to throw into that element in determining what the fair market value is.

But at any rate, I understand that there are finally going to be discussions and I would agree those discussions should be private between SMG and Mario Lemieux's group. I am just hopeful that they are successful but at the same time I think we are going to have to be prepared to take whatever action is necessary here to try to break this up and try to keep this team in Pittsburgh.

Mr. Cohen:

I want to thank Councilman Hertzberg for bringing this up. I don't agree that we need to move forward on eminent domain at this time but I certainly agree with Councilman Hertzberg. This is an incredibly important issue, that our goal has to keep the Penguins in Pittsburgh but also at the statement to make sure that they are in the hands of financially strong and operationally stable group of owners.

The Public Auditorium Authority is on top of this. A lot of it is taking place behind the scenes. We have been really prodding both sides. The SMG on the one side and Mario Lemieux group on the other to meet and negotiate and try to reach an agreement first. At that point I think it is the right point for the city and the county through the auditorium authority to step in and make this happen. Unfortunately the lawyers keep heightening the rhetoric. There is really an escalation of words out there and I don't think it's very productive frankly. I think both sides need to lower the rhetoric and work there way through this.

With respect to eminent domain or condemning the lease, it certainly is an option that is out there. But with all do respect, I don't think it's an option that we should be exercising at this point. Number one, we don't have the money. It would be a very expensive proposition. But number two, I just think it's too extreme for the moment. I think it's one option that we should hold in abeyance unless and until it's necessary to keep it out there. But I don't think that now is the time. Hopefully SMG and the Mario group will come to some terms.

I know, Councilman O'Connor, you have been involved in this. And hopefully that will happen soon in which case I think the Auditorium Authority can help to mediate and can help to get the job done. But at the moment, I think it's important to have those two sides sit down and meet in private and negotiate and come to terms. If they can't then I think we need to step in with more extreme measures.

Mr. Hertzberg:

Maybe today is not the day but I will tell you its getting a little too close for comfort here with this thing. There is a hearing on Friday on the Lemieux plan. I imagine what they will probably do is have a hearing but not rule on it and maybe have another hearing later. It has just been going on for too long. The NHL is concerned and they should be about where this is all going to stand next year. I mean they have to start planning for the next year very soon so that you know maybe not today. But I will tell you what we're going to have to start thinking about it if nothing happens.

Mr. Cohen:

I agree with you. We had an Executive Session and a public meeting of the Auditorium Authority yesterday. This was certainly a major point of discussion in the Executive Session as it has been every week. We meet every week and so I agree with you it's very timely. I think the NHL action frankly is a tactic as they want to see the Mario group come into ownership. It's a tactic that they're allowed to use of course. So it is certainly very timely.

I would like to see SMG and the Mario group sit down and see if they can come to terms. That has not happened yet and it will happen very shortly.

The Chair:

I think a lot has happened in the last couple of days. I believe you are correct. SMG and the Mario group have to solve their problems. What concerns me and I spoke with you yesterday and I sent a letter off to the Mayor and the Commissioners and I think the Mayor is busy, the Commissioners are busy, the Auditorium Authority certainly has a lot going on with the convention center and the two new stadiums. I believe that if this doesn't work by the end of the week, the Mayor and the Commissioners along with your input should appoint a mediator that is going to wake up tomorrow morning and worry about the penguins on all of our behalf, the City of Pittsburgh. That has to happen.

We can't loose this team. There are a lot of things I can sit here and defend SMG too, because don't forget they lent

Baldwin the money, it is not just a \$6 million rent. They lent the team the money to buy it and be where they are at. So all these things have to be considered. There has to be fair consideration for everyone but if the team leaves everyone loses. So these are intelligent business people I think getting in a room, they just have to keep pounding it out. We did it with the Pirates. We did it with the Convention Center. We did it with Plan B, to everyone's credit but I think time is getting a little shorter than we may realize. And it is time I think for the Mayor to step in if he himself can't do it on an hour by hour basis, and with all due respect he can't, he has a very busy schedule. There are a lot of things to do besides the Penguins.

I would recommend that he and Mr. Dawida and with your Auditorium Authority appoint a mediator to really there is a lot of talented people in this city that would be glad to jump in and solve this problem or help solve it. I would urge him. I sent that letter yesterday and I spoke to a few council members. I think it is not just on my behalf, but representing all the people of the city and region. We're all of a sudden getting a lot of mail and I believe what you said, look what that team just did over the weekend.

The game today I believe is sold out and that's without Jagr being able to play. So if they would only go to the Stanley Cup whether you are a hockey fan or not, it certainly means a lot of money and interest in this city. It's a great event. We went through Superbowls, we went through World Series, we went through Stanley Cups. To lose that benefit because of a small lease that can't be worked out would be a tragedy. So I urge everyone involved to roll up their sleeves and bring

it back together and get it resolved quickly.

Any other subjects? You guys have delayed this meeting quite a while. I want to rush this a little bit. I have a few things to talk about. We want to let Mr. Cohen probably leave early today because he has an acceptance speech to write. He is being honored as a person of the year in Squirrel Hill tonight at Poli's. I believe it is a sell out event and well deserved. You share Squirrel Hill with me and I thank him for his leadership and partnership. But before you Councilmembers we are going to write a resolution for Mr. Cohen and we want to make sure it is very good and very thorough, so if you want to help me this afternoon I would appreciate that.

Mr. Cohen:

May I -- do I get a point of personal privilege to interrupt? Only to say that I follow in the right footsteps and that is that you won this award a couple of years ago. If there is anything bad in that resolution, I am going to get back at you.

The Chair:

Well there certainly wouldn't be anything negative, no roasting type thing. Council would never do anything like that to Mr. Cohen I don't think.

We have to keep it clean, because he has a couple little kids coming.

Mr. Cohen:

Kids aren't coming.

The Chair:

We can race it up a little bit then.

Also tonight at five thirty we have a ribbon cutting at Sterrett Playground, three of us share that district with Valerie McDonald. I want to congratulate actually Val and Sala for their leadership on freedom corner. Sunday was a spectacular event. I know everyone on Council most of us attended. It was a great afternoon.

Today is Literacy Day. Take time out and read with your children, your friends. I know Council, all of us, are going to different schools to visit. I think again we want to congratulate the School Board on their initiative and for all of us to support that.

One serious note, I might want to mention though, I have been getting a lot of requests about the paving. It looks like it is top secret what streets are being paved and what aren't. I would recommend we send a letter from all of us requesting that at least we get our Council Districts so that we know at least we can second and hopefully support all of the streets that are being done and add to what may need to be done. I don't know why it has to be top secret. But certainly no one knows their neighborhoods better than Council members so I think it would be very beneficial to have input especially since Mr. Onorato put an extra \$4 million with Council's support to double the paving.

I think they owe us that to at least give us the list. So, I would request a letter sent over the Mayor's office attention I guess --

Mr. Onorato:

The rumor on the street is paving will start in three weeks after the sign removal teams are put back from paving.

The Chair:

We do have two post agenda this week, Wednesday, tomorrow at two o'clock discussing the Y2K for the city and Thursday Ms. McDonald has the discussion on the MBE/WBE financial opportunities. They will both be cablecast but I want to make a motion to cable cast the Y2K tomorrow. I don't believe that's been done.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

I would like a motion to approve the minutes.

MR. COHEN moved to approve the minutes.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

Motion to excuse the absent member. Mr. Ferlo is out of town and will be back tomorrow I believe.

MR. COHEN moved to excuse the absent member.

MR. ONORATO seconded the motion.

Which motion prevailed.

MR. COHEN moved to adjourn the meeting.

MR. ONORATO seconded the motion.

And on the motion of Mr. Cohen, the meeting adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXIII

May 4, 1999

No. 18

Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER..... City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, May 4, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

All please rise for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you. We have many special guests in the audience.

PRESENTATIONS

Mr. Diven:

At this time I would like to call up Ms. Kathy Rimlinger who is the Coordinator of the Holiday Project for CYS, Children Youth Services and her group, all the officers that are involved.

This is one of those proclamations where I think it's very important to take the time to really thank and commend all the people that were involved. It is a very, very worthwhile project. I know Victoria from our City Council was involved with this organization as well. Let me take the time to read this proclamation.

MR. DIVEN PRESENTS:

No. 1572 WHEREAS, in 1994, the City of Pittsburgh Police Department, Zone One, joined with the Children and Youth Services of Allegheny County in their efforts to help provide toys at Christmas to children in the CYS system and;

WHEREAS, with their combined efforts, in just five years they have gone from collecting toys for fifty children to over twelve hundred children in 1998, who otherwise may not have received anything for Christmas and;

WHEREAS, the following persons are to be commended for their efforts and for making Holiday Project 98 a success; Officer Lewis, Lt. Brackney, Sgt. Alexander, Officer Watson, Officer Jones, Officer Myers, Officer Jeffries, Officer Herndon, Sgt. Gardner, Officer Pittek, Detective Coleman, Officer Cloonan, Officer Cain, Officer Kenny, Officer Davis, Joyce Morris, Commander Scott, Donna Venis, Lt. Pekar, Firefighter Dorsey, Firefighter Gregorich, Medic Petruzzi, Beth Butler and Jackie White and;

WHEREAS, the following agencies are to be commended for their participation; the Pittsburgh Police Department, Pittsburgh Fire Bureau, Pittsburgh EMS Bureau, University of Pittsburgh Police, City of Pittsburgh School Police, Housing Authority, City of Pittsburgh Finance Department and Department of Engineering and Construction, Mayor's Office and City Council.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby thank all involved parties for their participation in the toy drive and encourages others to join with them in continuing their good work.

MS. MCDONALD moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Diven:

I will ask Ms. Rimlinger to introduce her guests and explain a little bit

about the work that they have been able to accomplish.

Ms. Rimlinger:

Good afternoon. It is commendable to the City of Pittsburgh to join together so many wonderful people to provide happiness and joy for kids that would normally not receive any gifts. Many of the kids because of different agencies and different organizations interface them throughout the year whether it be through police work, firework, or EMS, public housing or even through the Pitt police.

I am proud to be here on behalf of the county of Allegheny representing its citizens to read to you the community citation of merit presented to the City of Pittsburgh and all active participants that volunteered. In appreciation of your heartfelt commitment to the 1998 Allegheny County Department of Human Services Office of Children, Youth and Families Holiday Project, bringing joy to thousands of needy children and their families in our community, your generosity reflecting your quality of spirit and good will especially during the holiday season of faith and love.

The Allegheny County Commissioners thank you and commend you for your selfless efforts and on behalf of Allegheny County and the children of our agency, I thank you because without you it would not have been a Merry Christmas.

May I please present to the City of Pittsburgh Police Chief Robert McNeilly, Chief Moffatt, I believe is here to accept. Thank you very much and without the

Chief's help and support it wouldn't have happened. Thank you, and City of Pittsburgh Office of the Mayor, Deloris Hanna receiving on behalf of the Mayor. And again without the Mayor's support this would not have happened. Thank you.

To the City of Pittsburgh Office of the City Council, Michael, and to all the other members of Council, it was a collective effort and I thank you for your generosity. To Lieutenant Joy Pekar, of the Pittsburgh Housing Authority, thank you. Pittsburgh Department of Engineering to Fred Reginella. To the City of Pittsburgh School Police, Sargent Greer. University of Pittsburgh Police. The school police, I apologize. No one is here. City of Pittsburgh Fire Bureau, and to the Pittsburgh EMS department, Chief Robert Kennedy.

And to all those special people we have individual citations and I really appreciate all your support and look forward to working with you again next year.

If it wasn't for Victoria Mohny, there are many kids in the city that would not have had a smile on their face.

Mr. Diven:

Did you care to say anything, Victoria?

Officer Mohny:

As a coordinator of the Toy Drive, I just want to thank Councilman Diven and all the Council staff for taking this time to recognize all the volunteers and for all of those who buy the gifts for the children of Pittsburgh. Without these people, there

would be many children without gifts at Christmas time. So on behalf of the children of CYS, I just want to say thank you.

MS. MCDONALD PRESENTS:

No. 1573 WHEREAS, on Saturday May 1, 1999, Black Women and Health Outreach for Longer Life and Empowerment (BWHOLE), and the Center for Minority Health at the University of Pittsburgh, will sponsor its First Annual Walk and Health Rally at Pitt Stadium; and

WHEREAS, BWHOLE a network of black women and programs, organizations, agencies, research investigators, clinicians and policy makers committed to bringing awareness to issues impacting the health of black women through, sisterhood, networking and collaboration; and

WHEREAS; BWHOLE is being established to provide a mechanism and forum for ensuring that black women are connected to the support they need to function in their lives, careers and in the many roles they hold; and

WHEREAS, Black women are at risk for numerous chronic health conditions; such as hypertension and diabetes, and often have higher mortality rates for many treatable diseases and illnesses such as heart disease and breast cancer. Also, although mental health conditions such as depression and anxiety are as common among Black women as white, black women are least likely to seek treatment for these problems; and

WHEREAS, Numerous agencies have programs and resources targeting Black women to help address these disparities, but often times women are not aware of these programs or how to access them.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Black Women and Health Outreach for Longer Life and Empowerment (BWHOLE), for their continued efforts in enhancing the health of black women adults 18 and over in Allegheny County and surrounding counties.

MS. MCDONALD moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you, Mr. President.

The Chair:

We have a surprise resolution here, ladies and gentlemen.

Mr. Ferlo:

It is not about Cuba winning the game yesterday.

Colleagues, as you know we have all joined together with the leadership of Council President Bob O'Connor to honor our staff as part of the Office of Municipal Clerk Week in the United States of America. So I would like to read on

behalf of Council President Bob O'Connor and all of our colleagues in appreciation of our staff and the City Clerk.

Mr. O'Connor:

You two want to stand up?

Mr. Ferlo:

Okay, we will let them stand and we have been joined by some of the staff.

Thank you. Thank you, Mr. President for correcting my social graces here.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 1574 WHEREAS, the Office of Municipal Clerk, a time honored and vital part of local government exists throughout the world; and,

WHEREAS, the Office of Municipal Clerk is the oldest among public servants; and,

WHEREAS, the Office of Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and,

WHEREAS, the Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and,

WHEREAS, the Municipal Clerk serves as the information center on functions of local government and community; and

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of City Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations; and

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of Municipal Clerk;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby declare the week of May 2 through May 8 1999 as Municipal Clerk Week, and further extends appreciation to our City Clerk, Linda M. Johnson-Wasler, our Deputy City Clerk, John R. Mascio, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

MR. HERTZBERG moved to adopt.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I think on behalf of all the Council and, Mr. President, you might have some comments we just want to thank our City Clerk, our Chief City Clerk, Linda Johnson-Wasler, and her great staff.

I think the public can attest to the fact that they do a lot of great work and provide services directly to people. I can think back 25 years ago. I was a community activist coming in here, and

Mike Perry used to let me use the typewriter to type out a petition, even though I wasn't allowed in because I didn't have a typewriter then. But that is just indicative and many years later we have a great staff. They do a good job and 100 years from now people like to actually look back at records. I don't know why. I don't know why folks would be interested in hearing what I said 100 years from now, or anyone else, but apparently people do. And we have a great office that is keeping historic archives of the City of Pittsburgh as well as just a legal and legislative activities that all of us are involved in.

It can't happen without a great City Clerk and great staff and on behalf of all of us we would like to thank and applaud all of you.

Mrs. Johnson-Wasler:

Needless to say I am very surprised. I thought we were going to just do this and read it into the record and not make any big fuss, but I thank Council for that.

It is encouraging to know that you are recognized and not only myself and my deputy, but my staff. They are very important to this operation of Council and supporting Council and being the support staff to Council.

Once again I thank you all. I also thank you for the opportunity that you allow the City Clerks Office to have relative to the technology and moving forward that is one of the very important things that happens in various offices. We move forward, the technology moves forward and you got to move with it. Other municipal clerks as you compare

notes with them are doing that same thing too, so I thank you for that opportunity to give us the funds and the faith in us to move forward. Thanks again.

Just one more word, and again, my staff, you cannot do it alone. I have told them timelessly that you cannot do it alone. It takes a good staff. I have a very tenured staff and that makes it even better. So we work together and I thank you. Yes, very seasoned staff. I thank them.

The Chair:

Again, on behalf of all of us, thank you very much for all you do, your support. I know it is hard to make us look good, but you do. I would like all Council members to come up and get a group picture.

Next we will move to public comments. Anyone in the audience wishing to address Council for three minutes, please do so now. Please give your name and address first for the record.

PUBLIC COMMENTS

Mr. Wright:

Sammy J. Wright, Junior. Address 7215 Race Street, office address. I am from WW Demolition. Okay.

There is an issue brought up about a project that I bid on and my price was rejected on this project. And it was due to if you notice there was a couple pieces of paper passed out to you and it states the reason for rejection on my bid. And one of the reasons were that my price was not comparable because my price was 229 thousand and the architect estimated the

job to cost 380 thousand. The other reason was due to they call it a 6,000 pound material and personnel hoist.

When I talked to the Housing Authority and these pages if you would take a look at the second page and look at item number four. Item number four states that summary of work, Item 1.4 dash C and item 1.4 dash D and the existing passenger elevators and stair towers in the building may not be used for conveying materials. Personnel traffic and passenger elevators shall be kept to a minimum. Stair towers may be used by all personnel traffic.

Now if you take a look at item number six, it states to erect and maintain a 6,000 pound material hoist, which is also a personnel hoist. But item 6 clearly states that the personnel can use the stair tower. So I gave the Housing Authority a breakdown using a crane, a boom crane rented from Anthony Crane Rental with a hopper to raise and lower the material from floor seven through 12.

And it also states that the hoist location will be approved by the architect and the owner prior to installation. Now that is no reason for rejection on a price. That would be a reason to present it to the Housing Authority and the architect for approval. I was rejected for presenting this crane hoist, which was mobile due to the closeness area in which I had to use and also the maintenance department had to use, which was an area maybe 50 by 50. And if you place this material fixed hoist to this building, it limits that much more space.

So therefore I came up with the idea interpreting the item number four

stating that the personnel can use the stair tower and in fact this personnel and material hoist was really not necessary.

The Chair:

Summarize.

Mr. Wright:

Basically, I got a price based on this material and personnel hoist from a company out of Virginia. The architect estimated the cost to be roughly \$50,000 a month. I have a written cost of \$5800 a month. Which is if you rent this material hoist according to the architect would cost \$80,000. I mean a \$100,000 but with the material hoist erected, my estimated cost was \$20,000. So there is a difference of \$80 thousand right there. I have all of this in writing. I am pretty sure that all Council members have a copy of it.

Also, my price was rejected due to the price being \$229,000, which is approximately 40 percent lower than the architect. The person they want to give it to is \$379 thousand six hundred, \$400 less than the architect. Based on the material hoist is a reasoning for them to reject my bid. I presented my method of doing it to them for approval, not for rejection of my price.

They rejected my price and I also brought this up to Sala Udin previously to receiving this letter for rejection. He told me it wasn't in his district that I should talk to Valerie McDonald. The day after I received the rejection letter, I gave Valerie McDonald's Office a call with no response. I had to talk to Gil Martinez from the Controller's Office to call her. She called me back and stated that she

couldn't do anything for me for just the fact that her catching it on a tail end. And also she used to be on the School Board and if anyone placed a price that was not in the range of the architect, that their price would be rejected. So she couldn't do anything for me.

This job is in her district. I grew up in this district and I played football next to this Kelly Street high rise. I am a responsible contractor this is why I am bonded because if I cannot complete that project the next bidder will complete the project and will be paid by my bonding company. And that is what nine months ago I received a proclamation from City Council for the work that I have done in this city for the last nine years. So therefore this is unjust to me.

The Chair:

I will let Mr. Udin respond; he's on the Authority Board.

Mr. Udin:

Mr. Wright is correct, I did meet with him. What I did tell him that the project was in Councilwoman McDonald's District and that he should also meet with her. It is not true however that I only said to him go see Councilwoman McDonald. I said that I am a member of the Housing Authority Board and that I would look into the issue and give him whatever additional information that I can. Mr. Wright however failed to mention that today. And I in fact did look into the issue.

I should caution Council that Mr. Wright is represented by legal counsel of Verdel, Dean and Associates, this issue has been taken up with the Housing

Authority and does currently constitute a legal matter which Council members should be cautious about commenting on.

Mr. Ricciardi:

Thank you very much. Colleagues, I was unaware that Mr. Sam Wright would be with us today, but I am very pleased he is with us, no different than any other colleague. Last week we received some information in our mailbox that showed that a contract would be given out for the demolition of Kelly Street Apartments and it was not going to the lowest bidder. At that particular time probably no different than any of my colleagues on City Council I drafted correspondence to Mr. Lowe. However, I did not receive a response to date.

Let me first say that W and W Demolition to the best of my knowledge is a minority owned firm in the City of Pittsburgh in the East End. Let me also say that W and W Demolition presently has a contract in the City of Pittsburgh for the demolition of homes. And as Mr. Wright has stated I believe several weeks ago I am not sure which colleague but a citation, a resolution was given out for good work and W and W Demolition was there.

So the facts on the table is that Mr. Sam Wright does a good job here in the City of Pittsburgh. The other facts are that it appears there is going to be a demolition of Kelly Street Apartments here in the City of Pittsburgh and Mr. Sam Wright has business in the city. But instead the authority is going to let the contract out to a high bidder for my information, a high bidder that is outside the area. Not outside the city, not outside

the county, but outside the state, Detroit. Now something is wrong with that picture big time something is wrong with that picture.

Number one, remember I am on the Pittsburgh Water and Sewer Authority Board and other people are on boards we know how this works. If this man is bonded that means there is a bonding company out there that will stand behind his work. And if the work is not properly done, the money is put up. At the Pittsburgh and Water Sewer Authority sometime ago under the previous administration when they tried to blackball a company and say this company cannot perform the work, it didn't -- it was not held up in court because a contractor from Collier Township just previously won that battle. If a company bonds you that means you can do the work.

Now we're going to have a demolition of apartments in Homewood by an outside contractor from Detroit. And we got a gentleman who is doing work in Homewood, who has his business in Homewood, who is paying city taxes, who is giving back to the community, who hires city employees and he can't get the work. Now I am starting to see the frustrations of the black community.

It is okay for a minority firm to be a sub-contractor to get the ten, to get their 25 and maybe just to go along with the package. But here we have a contractor, a minority firm who is not asking to get the job because he's black, but is asking to get the job because he is the lowest bidder. Now don't talk to me about specifications, specifications are very, very, very open for discussion. The difference is that this man thinks that he should use a crane instead of

a hoist. Well that should be open for debate.

I will take that a step further. That if the Housing Board and I am glad my comments are being stenosed and I thank you for your work and I hope this gentleman uses it for his defense. And that is that you have every right to throw out any bid you want when you're an authority. And I hope no one tries to debate that. You don't need a reason to throw out a bid. And that's been proven in court. All these bids should be thrown out and rebid because I am not pleased that we're going to spend an additional \$100,000 from a company from Detroit. Instead, I never thought I would use this type of word, but instead screw this poor guy. That's wrong. It is wrong. And it shouldn't be acceptable.

It's not a question that he's a minority earned firm. He's not using that for a crutch. He is the lowest bidder. He does fine work. I know him. I see him here every year receiving a resolution. So I am going to tell you what it is about. That firm that is getting the job to the best of my information is also a firm that's working on Plan B. Is that correct, Mr. Wright? Am I right about that?

Mr. Wright:

Yes. Yes, they are working on Plan B.

Mr. Ricciardi:

So, once again that information needs to be confirmed. I will use that as a caveat. But what does it look like on the face value? That Plan B contractors are coming from out of state and they must

have some support, they must have some connection because not only are we getting the work so far, Mr. Robinson from the Hill is right. He's giving them an F. F, F, F. No city workers, no city contractors and now it looks like we are going even a step further. When we win, when the city guy wins, city woman wins, a minority firm wins, they don't even have a shot. He is the lowest bidder, Mr. O'Connor.

So I will just end in saying this. Mr. Lowe is a good man. I am sure this memorandum and I gave a courtesy to Ms. McDonald and said that if she was not going to raise this I would. Then all of a sudden this memorandum appeared. So this will have to be reviewed by my legal counsel because I am going to forward it to him. Because on the face of it, it's baloney, it's damn baloney.

I am on the PWSA Board. If this guy came out with a better way to demolish those units at a savings to the cost payers, let's do it. If not, if we have to start over remember it's been proven in court you can throw out any bid for no reason at all. And this is what's frustrating to city workers. And now I am beginning to see what's frustrating in the black community. What else does this guy have to do? What else does this gentleman have to do?

Ms. McDonald:

Yes. Thank you. Thank you Councilman Udin. I was not aware that Mr. Wright would be here either because, again I received a letter and I was the one that gave all of my colleagues' copies of whatever I received.

The copy from the attorney came

what was mailed April 27 received April 28. The other items I received in a morning meeting with representatives of Director Lowe's Office. It was Director Lowe, when Mr. Wright had called; I had called him back. And we had talked at length and discussing certain things as to why wasn't the bid made according to specifications instead of making changes, etc, etc, and why there wasn't any calls made to anybody until at least to me until after the final rejection letter? In other words after the dust had settled in terms of them issuing this letter and it was quite legal before they sent this letter out.

I had called Director Lowe and asked hey what is going on here? For the same reasons that Councilman Ricciardi has expressed. He had put me on a conference call with Mr. Jim Sheely (phonetic) and I forget the woman's name who is also part of the construction manager she is a construction manager position. But her name is Gillian and they had relayed to me just some specifics as to what went wrong.

I had asked about the second and third lowest bidders to see if they were in the city, to see if they were minorities, female owned firms, what was the profile of them. How much higher were they than the lowest bid, etc. just trying to get a profile of what in the heck is going on here. They said that they were reviewing the second lowest bid and that they would even consider the third bid, which is the 379,000 that he had communicated to us in his testimony. But the second highest bid as of this morning was still being reviewed. I don't know what is going on with that.

Director Lowe had called me. I

had called him back again after receiving the attorney's letter. He called me up yesterday and said can we meet tomorrow morning. I did meet this morning. This morning I received the rejection letter as well as talking about the hoist versus the crane, as well as the HUD guidelines. We reviewed the HUD regulations. I am sorry to talk legal I am not an attorney, you end up talking legal after a while as to were there any provisions made for modifications substitutions, etc, etc? Basically you're dealing with HUD, this is a Federal government, this is not a local municipality. This is HUD regulation. They are very strict, they're very clear, it was a sealed bid. They reviewed things, there obviously was communication that I was not aware of because I am not on the Housing Authority Board, Councilman Udin is and we refer to him when it comes to Housing Authority issues. That's why we put a representative on all of our boards.

But again, I can't because it has gotten quite legal. I really don't know what else to say except that there was not a bid made according to the specs. So that you all are clear, the crane I was told would only accommodate the demolition of floors seven through 12. There was no explanation given as to would a crane accommodate floors one through six. There was nothing. I don't know. I am just deliverer of the message.

Number two, the hoist was specified to be able to transport people and materials, individuals that is because they didn't want the construction workers using the elevators. They're already going to be making quite a bit of noise and it is going to be very upsetting to the senior citizens living in the building.

There are people living there, it is not a vacant property. So they want as little inconvenience to the residents as possible. They explained that's why they specified a hoist. So it could transport the construction workers as well as materials and therefore they would not use the residents' elevators.

Now in lieu of that, I cannot argue any more as to, you know, the crane versus the hoist. It seems like there is more justification for using a hoist. But it has gotten to the point where I don't know how Council can intervene. I do feel though that it is somewhat stepping on Councilman Udin's toes because he's on the Housing Authority Board. And I would leave that up to him to discuss this amongst other board members as well as Executive Director where they go from there. Do they throw out all the bids? Do they pursue the second lowest, the third lowest, what do they do? Do they just end up in litigation? It really is up to them.

I just don't want this body to be so micro managing that it becomes a mute point as to why one of us would even be on a board if we are all going to debate the issue at the table. So I appreciate all the concerns. I agree that we should, we should try our best to use local firms. We should do our best to use minority firms. And I say that particularly in demolition because there is a lot of minority firms in the demolition business. There are not a lot out there. But we do demolition and why is it that this didn't work out, I don't know. But I cannot second-guess nor am I going to put on a Housing Authority Board hat when I don't have one. That's Councilman Udin's hat.

I would just say I would rather the Council body defer to him and possibly come back with the outcome of this situation.

The Chair:

I would say with all do respect to Mr. Udin, we all represent people who whether they are in Housing Authority or not, I think we have an obligation to our constituents who live in whatever. It may be your district, my district, and anyone's district. So it goes beyond just not just your board or any board that they are treated fairly and any business going on in that Council District we all have an interest in it. Especially the Housing Authority and this is probably the start of a lot more.

I am glad you came down here.

Mr. Ferlo:

I think it's obvious Mr. Wright is here to City Council as City Council is best described as the form of last resort. Obviously I have known Mr. Wright for a good number of years and had the privilege of working with him on a number of projects as Councilman Ricciardi pointed out. This is a gentleman who not only is professionally and academically has credentials, but successfully has been a contractor on a lot of different projects including city contracts for the last decade and longer. So he's a gentleman who both in terms of his professional expertise and as a contractor and as a local businessperson I think has a strong track record.

I am not going to argue the law because I don't know what the law is. I spoke with Director Lowe. I was away for

a week when I heard about this and the Controller's Office called me and I called over to the Housing Authority actually, Mr. Lowe answered his own phone. I was impressed with that and he did give me a lengthy description and explanation of what transpired with the bids. Probably in terms of the law, the Housing Authority has the upper hand unlike competitive bidding and state statutes that we are governed by. And there is a myriad of complicated legal and statutory language put out by the Urban Development HUD agency so I am sure legally the Housing Authority has the upper hand when it comes to rejecting the bid.

I don't really know whether this is so much a legal issue as just a practical issue. This gentleman has a strong track record. He has a clear ability to complete and deal with the job. And what I was frustrated about is I don't understand why given I would have thought that the Housing Authority would have been happy to get a lower bid by a competent contractor with a strong track record. Now clearly when a bid comes in so low and you know that the contractor doesn't have the equipment or they don't have the track record or they don't have the expertise, definitely it raises a red flag. Now I saw a document from Mr. Lubis who I think was the architect doing the cost estimating on this job prior to the bid process. And Director Lowe uses the upper phrase \$280,000 for the commentary that I saw from the architect. Mr. Lubis had a lower figure to the higher figure of 380 thousand. And it was within that range that I believe WW Demo did appropriately bid. Albeit significantly lower than the other bids.

I was not aware of Mr. Ricciardi's commentary about this company already

being working for Plan B. I don't think we need to do condemn or further condemn the hope of the Plan B process but it does at least smack maybe some favoritism here or someone providing information. I find it curious to know and if it is true that this company just happens to be doing the demolition and all of a sudden they also get all this other work with the Housing Authority. And possibly they are doing other work for other authorities, I don't know. I am going to look into it after this meeting.

But I think rather than the law, we should try to find a way for the Housing Authority to engage this individual contractor in the work of the authority. And I am very disappointed. I think I sense that people are hiding behind the law and the regulations because they were told that they had to give the work to this company that is doing the work for other activities around the city. That's extremely disappointing. And I encourage Mr. Wright to contact legal Counsel and sue.

The Chair:

Mr. Wright, how many employees do you have when you are busy?

Mr. Wright:

I have ten.

The Chair:

Mostly city employees? Most of them live in the city?

Mr. Wright:

Only one is not from the city. All

of my employees are basically from the Homewood area. Because that's the area I grew up in and that's where most of my employees are from.

The Chair:

The jobs in Homewood, you live in the Homewood, your business is in Homewood, and you're one hundred thousand dollars cheaper.

Mr. Wright:

Right.

The Chair:

Something is wrong with this picture.

Mr. Ferlo:

Mr. President, let me finish. This situation is pretty much the spirit in which I submitted the resolution changing the MBE/WBE guidelines. Here is a glaring example where not only is a qualified contractor, happens to be a minority contractor, not going to get the work but you're going to have majority company in a workforce that is not even around. If the MBE thing were changed that the workforce could at least be minority or local residents then they would be a lot better situation than what we have here with Mr. Wright.

Mr. Udin:

Mr. President, I think we are in the wrong forum for this. I am not sure where we think we're going with this. But there are some factual inaccuracies. I believe, if I am not mistaken, the company is not a

Pittsburgh Company. The gentleman does not live in the City of Pittsburgh. I don't believe that it is appropriate before all of the issues have been debated and some resolution is completed by the Housing Authority, I don't believe it's appropriate for this Council or you, Mr. President, to entertain action or intervention by this Council before the process is complete. It is under review. The person is represented by Counsel and I would suggest to you that you at least let the process be completed itself before Council sticks its nose inappropriately.

Mr. Onorato:

First I just want to, I am glad that it is being reviewed and what you heard is that it is not a done deal yet. I want to point out and I want to thank Controller Flaherty because his office called my office. I talked with Mr. Lowe and I have a letter here from Mr. Lowe explaining what happened so far and Mr. Lowe responded promptly. But I think the Controller should also be applauded here because it is one of the functions of the office down there is that he's paying attention to activity even before the fact as opposed to auditing after the fact and they did their duty. They put us on notice.

I think this gentleman behind us has an opportunity to be heard. I am glad he came in today and expressed his concerns. We have had him in here for a proclamation several months ago with Searguard (phonetic) I know that. It appears that he's going to be heard out at the Housing Authority and I am glad to see that's happening here. But I think that he's only doing what every other contractor would do and that is he's looking at every avenue available to him to get his point of

view across. I think that was good.

I just want to note though I think the Controller's Office should be applauded just for the fact that they saw something and they thought a red flag was there and they put the appropriate people on notice. And a lot has happened in the meantime and regardless of where this ends up, we at least know it is being addressed now. And hopefully we get a report from the Housing Authority in the next week or so when they make their decision. And why they made those decisions? And what is going on over there on with this particular individual?

The Chair:

So the Controller is following up too?

Mr. Onorato:

Even before it was a done deal they were very active and proactive in making sure that you have an individual here, a minority contractor, who is saying I am the lowest bidder. Something is going on here and they were very proactive in putting us on notice, putting Stanley Lowe on notice and at least got the conversation going. I think that's healthy because this isn't done yet. I think the end result is still out there.

Mr. Ferlo:

I think Councilman Udin's point is well taken. I mean we should not convey to this gentleman or to the public in general that we have any direct ability to intervene on this matter. It is a legal matter between the gentleman and a separate governmental body. We have no direct control or legal involvement with

the Housing Authority City of Pittsburgh. We do have a colleague that sits on the board and has worked very hard within that agency. I would just hope that given the fact that so many colleagues, in addition to Councilwoman McDonald and Mr. Udin are directly involved, I think the Housing Authority is appreciative of the concern that we have. I would assume that we are going to get some follow up memos further clarifying the bid specification situation.

The Chair:

Again, there is no Council action and I didn't propose any. I would like to have a follow up from you as the chairperson and it is Ms. McDonald's District. And I guess we will get legal forms and opinions from our Controller and whatever happens with you and you are always welcome to come back every week. Thank you.

Ms. Brown:

My name is Yvonne F. Brown. I live at 2633 Brackenridge Street, Pittsburgh 15219. I think I have said it before but I would like to reiterate that I am an advocate for the children, youth and families of Pittsburgh.

Mr. O'Connor, I wanted to ask you last week I had asked about if we could look into seeing about the policy of getting some type of funding for the JUICE Program which is just using innovative and community empowerment. We're you able to get any information at all?

The Chair:

I didn't look into it. If you were looking for money I suggest you talk to

Council members because there is funding that you can apply for.

Ms. Brown:

So you are saying each Council member?

The Chair:

Any Council member. If you are eligible or your group would certainly be able to assist you. So if you set up a meeting with any one of us.

Ms. Brown:

I will start off now. Many times I come before you to speak and I know I am not a lot of times politically correct, but from coming here and watching the way that this system is run I am learning. I am a little concerned because a lot of time I am the messenger from my community where the people tell me to come down and tell City Council how they feel about certain things. What is bothering me and I am getting a little bit down trotted is that I believe me being the messenger, the message may be being destroyed or killed.

You know you heard the saying of sometimes the messenger that they tell you not to kill the messenger because they're bringing a message. Well after I left you, I called -- I left City Council I called Stanley Lowe and before I even spoke to the Mayor, I received a response from him. I was very depressed and very outraged in the way that he answered me. What I asked about if he could possibly fund this program. And the program that I am talking about is that we would have senior citizens going into the homes of these young parents, most of them are young

single parents. And we would have someone that possibly that could maybe work once a week, cook a meal, watch her and let her watch us while we cook. We could teach them about going to the food market, how to budget. We also could teach them how to clean and how to take care of children.

When I spoke to Mr. Lowe when I was asking him about being funded he says to me that well first thing Mrs. Brown you call -- you went to City Council -- May I continue?

The Chair:

Please summarize.

Ms. Brown:

Well some of this you know I used asking you a question. I wish I could go a little longer. But any way I am -- what happens is this, when I spoke to Stanley Lowe, Stanley Lowe said to me Mrs. Brown you're calling me to try to ask me for funding. The first thing he said is that you went to City Council, second you went to the Mayor and third you are coming to me. Now I was very upset with that because I didn't know that there was such a protocol. And because I didn't know the protocol it seems to be that me asking for funds because I didn't go to him first that this funding or my proposal would not even be considered.

There is one thing I respect the position that he does not hold all the responsibility but what happened with that child. He has a difficult job and we know it. But if he can respond to someone who has a possible solution to a problem even though it is not a cure all and I am not part

of the community then I can see why the Housing Authority Police treat the people in such abusive and (inaudible) ways where they actually treat them like their dogs.

Stanley Lowe I believe he needs to understand if he's not part of the solution he's part of the problem. And just like the man was here and left so you can imagine that this man was treated just like me. I don't have any money, I don't have a business. I came with suggestions. This man has money to try to help this city and he is a minority. And Stanley Lowe another minority can treat him like that, we need to look -- Mr. Sala Udin you said you're on the board, I wish you would please explain to him when you come into the community.

The Chair:

Please summarize.

Ms. Brown:

I am almost finished. I am if you just wait one minute, you come into the community.

The Chair:

Please summarize.

Mr. Onorato:

Mr. President, if I could point out the Housing Authority has a public meeting too she should really --

Ms. Brown:

Oh, Mr. Onorato, you think you have it all.

Mr. Onorato:

Introduce the resolutions now.

The Chair:

Next speaker. Any other speakers to address Council?

Thank you. We will now move to presentation of papers.

PRESENTATION OF PAPERS

MR. DIVEN PRESENTED:

No. 1575 Resolution National Guard Component of the U.S. Armed Forces or Coast Guard) due to Operation Allied Force to support NATO operations in Kosovo, amounting to the difference between their military pay and City salary, and to maintain all health care benefits for said employees, their spouses and dependents during their term of absence in Kosovo. --(SPONSORED BY MR. DIVEN)

Which was read and referred to the Committee on Finance and Budget.

MR. FERLO moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bill will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Also,

No. 1576 Resolution authorizing Raymond V. DeMichiei, Operations Supervisor, Bureau of Communications, Department of Public Safety to execute for and in behalf of the City of Pittsburgh all required forms and reports for Loan Agreements and Grants under the Federal Nunn-Lugar-Domenici legislation.

No. 1577 Resolution providing for a Contract or Contracts; or Agreement or Agreements, or the use of existing Contracts or Agreements for the purchase of a document imaging system for the City-County Integrated Identification Program, Department of Public Safety, at a cost not to exceed \$85,000.00.

Which were read and referred to the Committee on Public Safety.

MS. MCDONALD PRESENTED:

No. 1578 Resolution providing for an Agreement or Agreements with various community organizations, for operational/ administrative expenses, maintenance, purchase of equipment, and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh and further, authorizing various City departments to enter into contract(s) or use existing contract(s) for the purchase and installation of equipment and/or furniture, at a cost not to exceed \$122,500.00, chargeable to and payable from Code Account (110304) 566100-1000-110000-300-1999.

No. 1579 Resolution Approving Execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Gildas A. Kaib, Jr., for the Sale of the

following Properties in the 18th Ward of the City of Pittsburgh (Council District No. 3 - Residential Construction). --- (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

18th
4-C-94
6 McArdle Roadway

18th
4-G-249
35 Vinecliff Street

18th
4-G-254
8 McArdle Roadway

18th
4-G-256
43 Vinecliff Street

18th
4-G-264
41 E. Sycamore Street

18th
N/A
Portion of Vinecliff Street
(To be Vacated)

MS. MCDONALD moved to suspend Rule 8 providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. FERLO seconded the motion.

Which motion prevailed.

Also,

No. 1580 Resolution Providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1999-2000 Community Development Block Grant Program, and providing for the payment of the cost thereof. (Council Districts: All). -
--(PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

No. 1581 Resolution Authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer to URA of \$450,000 for North Shore Riverfront Development (Council District 6). --- (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

Which were read and referred to the Committee on Housing, Economic Development & Promotion.

MR. UDIN PRESENTED:

No. 1582 Resolution Providing for a contract or contracts for professional services with Grant Street Advisors, Inc. to provide financial advisory services for the years 1999, 2000 and 2001, at an annual cost not to exceed \$250,000, an aggregate amount not to exceed \$750,000, chargeable to and payable from Account 583000, Fund 5100, Organization 106000, sub-class PGHPR, BY 1999, Project # 2209990.

No. 1583 Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984, having been

placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program.

(A) 118 N. Pacific Ave.
Quang Vo
10th 50 L 293
Dist. 7

(B) 706 N. St. Clair St.
Charles Fedel
11th 83 F 271
Dist. 7

(C) 536 Susquehanna St.
Alonzo T. Wilson
13th 174 N 145
Dist. 9

(D) 966 Manton Way
Laurette DeBold
18th 14 C 382
Dist. 3

(E) 1702 Hunnell St.
P Phillip Bollenbacher &
Margaret S. Bollenbacher
24th 47 P 243
Dist. 1

(F) 1830-1/2 Viruth St.
Jeffrey R. Knauss &
Suzanne P. Knauss, his wife
27th 114 L 288
Dist. 1

No. 1584 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, known as Lien Excluded Properties acquired at tax sales, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(A) 1718 Columbia Place
PHASE
25th 23 E 344
Dist. 6

(B) 502 Jacksonia St.
PHASE
25th 23 J 67
Dist. 6

(C) 2148 Perrysville Ave.
PHASE
25th 46 P 162
Dist. 6

Which were read and referred to the
Committee on Finance and Budget.

MR. O'CONNOR PRESENTED:

No. 1585 Communication from
Tom Flaherty, City Controller, submitting
the Comprehensive Annual Financial
Report (CAFR) for the City of Pittsburgh
for 1998.

No. 1586 Communication from
Ralph R. Horgan, Executive Director,
Pittsburgh Parking Authority, submitting
salary budget for the fiscal year beginning
October 1, 1998 for the Public Parking
Authority.

Which were read, received and filed.

MR. HERTZBERG moved to receive
and file.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Any unfinished business to come

in front of Council.

UNFINISHED BUSINESS

Mr. Hertzberg:

Mr. President, last week I spoke
about the Pittsburgh Penguins and the
predicament they're in with the bankruptcy
and my hope that something would
happen. And the potential for the use of
eminent domain to remove what is
probably the biggest obstacle to the
Penguins' reorganizing, that being the
lease with SMG.

As far as I know over the last week
there has been a lot of posturing but there
has been no movement whatsoever. And it
looks like the National Hockey League is
becoming more and more involved and
getting closer and closer to the point where
they may dissolve the franchise and just
completely eliminate the Pittsburgh
Penguins.

My concern is growing greater and
greater. I think the concerns of the fans
are greater and greater. If the e-mail that I
get is any indication the fans are very
nervous. I couldn't help but again watch a
great game on Sunday where you have a
team that's just showing us everything they
have on the ice. They're fighting as far as
they can and we have this bankruptcy
thing that seems to be just the opposite.
Where everything is being dragged out,
nothing seems to be getting accomplished.

I have drafted up a resolution and I
will ask the Clerk to circulate that. And
this is a resolution that would request the
Public Auditorium Authority, and I realize
that I don't sit on that board and that Mr.
Cohen does, and I would ask him to

comment on this when I am done. But it requests that they utilize their powers of eminent domain with respect to this lease. That's all it is, it's a request.

I realize that Council I don't think has any authority to actually take an action but I think our hopefully unified support for them doing something may make a difference in this, Mr. President.

Mr. Ferlo:

First of all, I want to thank Councilman Hertzberg for raising this resolution. I am not prepared to vote in favor of this at this point. But I just want to say one thing, it's extremely important that we keep the Pittsburgh Penguins in the City of Pittsburgh, no doubt about it. It is not only a part of the fabric of the community financially it is a help to the city's operating budget. I don't think we can dispute that in terms of the amusement tax alone.

I have a problem at this tactical level right now intervening in terms of this issue of eminent domain. I think it is a creative avenue that we could use and maybe at some point it is an appropriate use of a Council resolution. But I would rather see a resolution that calls on the Mayor to intervene politically, personally, administratively into the affairs of the Penguins and SMG and the lease, and the bankruptcy court judge. I think what is needed here is someone to help broker a way out and a process, help to find a process so that it is a win, win for everyone.

Obviously the Penguins want to stay financially viable. I don't understand, I am not privileged to know all the different

financial details of the lease and the SMG situation. I don't know that any of us has been approached necessarily about what the Penguins had in mind in terms of either renegotiating the lease or some other new facility that apparently they are desirous of. I just think right now it would be more appropriate for Council to ask the Mayor to intervene and to report back to Council on how we keep the Penguins here? How we resolve any leasing dispute? How we make sure the Lemieux interest group or whatever appropriate interest group gains successful control financially of the team?

I am hesitant to just intervene now on this issue of one part of the process in terms of eminent domain for the buy out of the lease. I would rather know or want to know what is the Mayor doing as the chief officer for the city in terms of his role and function in this proceeding right now. I think it is more important that we ask the Mayor to intervene and report back to us ASAP on a plan for this Council to be supportive of keeping the Penguins here.

The Chair:

I sent a letter last week to the Mayor requesting a mediator. There is a lot of top people who I believe would be glad to be mediators on his behalf and all of our behalves. I haven't received a response yet, but I certainly would be glad to send a response in front of all of Council an update of who is waking up.

I think the major problem is who is waking up tomorrow worried about the Penguins. I mean, with all due respect when the Pirates were involved, the Mayor himself, Mr. Leeper, again the Mayor I will defend him has a lot of things going

on. Mr. Leeper is building two ballparks and a new arena. So I don't know and I will ask Mr. Cohen you have your hand up next who wakes up tomorrow morning and worries about the Penguins getting -- between the county too. The three commissioners are running for office. I am sure maybe politically it isn't the to their benefit to be involved right now. So I would ask you if you know now or what is our plans to get someone involved real quick?

Mr. Cohen:

Mr. President, as I talked about this last week a lot is going on. I do appreciate Councilman Hertzberg's motion behind this very much. I think it's premature frankly to move to condemn the lease because negotiations have just begun. As I discussed last week there clearly is a need for pressure to be put on both sides and by that I mean both SMG and the Mario Lemieux group to get together and see if they can reach resolution. If that cannot happen, then I think more drastic measures need to be taken but negotiations have really just begun.

Last Wednesday representatives from SMG including the President of SMG, Wes Leslie, and Mario Lemieux and his representatives met. Apparently it was a cordial meeting and they're going to meet again this week. So things are moving. I recognize, of course, that time is of the essence particularly because of the NHL threatening action if not taking action. But I think that what we need to do is continue to prod both sides to reach a resolution and then for the public entity both the city and the county to seal the deal. There is also a meeting of the Mayor and Commissioners today solely on this question.

I think things are moving. Both of your suggestions are good suggestions but let's see whether resolution can be reached because frankly moving to condemn the lease is not going to be in the best interest of the City of Pittsburgh partly because we don't have the money. When you condemn the lease, you have to eventually pay the fair market value of that lease which is in the multi million dollars.

I don't think that's necessary at this point; it may well become necessary. I said that to Councilman Hertzberg. He was kind enough to bring this to my attention before he brought it up. My suggestion is a lot of things are happening behind the scenes, let's see if those reach fruition. If they don't then let's take more extreme steps. And I would be happy to report to Council and obviously talk to everyone of you about this issue as it continues.

The Chair:

When is the deadline for the NHL? Didn't they give a six-week deadline?

Mr. Cohen:

I don't think they have given an actual date, a drop-dead date, but it certainly is relatively soon.

Mr. Udin:

Yes, I want to first of all associate myself with the comments, opening comments of Mr. Ferlo. The Penguins are very important to Pittsburgh, its cultural and its economy. However, I think that any suggestion that the Public Auditorium Authority is not on top of the case and waking up in the morning thinking about

the Penguins, I think is not justified. From what I have been able to follow Mr. Leeper, the members of the Public Auditorium Authority, Mr. Cohen are very much on top of it and very much involved and facilitating the process where it needs to be facilitated and intervening where it needs to be intervened. It is not at all clear to me at least, I am not a lawyer, certainly Mr. Hertzberg and other lawyers on Council would know a lot more about this than I do. But from what I have been reading it is not yet clear to me that a lease can be subject to eminent domain. I think that is a question that the jury is still out on it. They're looking into it and at any event even if it is it will not come without substantial cost to the city.

And I hope that when we consider eminent domain taking of the lease we're also looking at the cost that the taxpayers will bare with such a taking. I think that the process is working. They, I think that the Lemieux group, has made substantial progress and that the SMG negotiations is the next big hurdle that they have to concur before the entire financial reorganization will be resolved. I think we ought to give general support to the process and to the Penguins, but I think that I agree that a resolution authorizing eminent domain condemnation of the lease is just a bit premature.

The Chair:

Didn't we ask for a legal opinion and have we received that yet?

Mr. Hertzberg:

No.

The Chair:

Do you think it is appropriate that

we do?

Mr. Hertzberg:

Either way I am not going to ask for a vote. It's obvious no one is ready to vote on this today. But I think the issue of eminent domain I think, you can condemn interests and real estate, a lease is an interest in real estate. I think it can be condemned. I think there is a big question about whether it will or will not be that expensive and no one really explored it that much.

But there is a process where a debtor in bankruptcy can reject a lease and if the Penguins would do that, I think the value of this lease would plummet significantly. So there is something's that are out there. But I will give the process some time. But I was talking last week I am talking this week I think that the time is just getting way too tight on this whole thing. It has been going on and on for a long time. After the Penguins filed bankruptcy, nothing really happened. We had our first hearing on a reorganization plan a week last week. The thing is just moving very slowly and the team needs to be moving into the next season and they're not. They don't even know who the owner will be or if there will be one.

Mr. Cohen:

I agree with Councilman Hertzberg, it is frustrating. This process has been very frustrating. I would ask Councilman Hertzberg not to withdraw the motion, but for us to hold it because it may in fact become necessary, an extreme step like this. Look, the bottom line is to save the Penguins, to keep them in Pittsburgh. My goodness that's game seven of the

playoffs is tonight let's hope the Penguins win that and continue on towards the Stanley Cup.

I would ask Councilman Hertzberg if he could hold this, not to withdraw it and for us to stay completely on top of negotiations and use that tool if it is necessary. I don't think it's necessary now but it may well be in the future.

Mr. Hertzberg:

All right. I will accept that and make a motion to hold for one week.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Again, I am glad to see what I was looking for is the Mayor and the Commissioners to at least meet. That's what I call someone worried about it.

Mr. Udin:

A new matter. As you know, Mr. President, the Controller has issued the Comprehensive Annual Financial Report for 1998. And my inclination is to since the report has been the subject of some discussion before it was released and after it was released, it might be good to have a Post Agenda if Council are inclined to attend with the Controller and the administration. We are, that is myself and the Budget Office, are preparing a summary analysis of the CAFR. But it seems that it would be more beneficial if that kind of summary were presented to the whole of Council and Council could have a discussion with the Controller.

And that might be a good way of starting the discussions with the administration toward the development of the 2000 budget, if that would be the will of Council.

The Chair:

I believe we would be in agreement and would you like that in the form of a Post Agenda and we can set a date later?

Mr. Udin:

So moved, televised Post Agenda.

MR. FERLO seconded the motion.

Which motion prevailed.

Ms. McDonald:

Another matter. We passed a resolution last week to convey a letter to the University of Pittsburgh. This is why it is under unfinished business, Mr. President. As a follow up to that resolution and issuance of a letter, I received communication from Mr. Jay Rolling, a representative of the University of Pittsburgh, to update me as to what is going on with this whole hunger strike thing. And to reiterate what we had discussed last week the letter only urged Pitt trustees to meet, to meet the students. We did not take a position whatsoever on same sex health benefits the concerns of the students. We had no issue except that there be a meeting. As a follow up I am just going to read some of the letter.

Essentially this is the University of Pittsburgh from Chancellor Martin Nordenburg who has done a spectacular job in trying to keep all the contention

down. Essentially our own benefits policy, publicly articulated by Chairperson Connelly nearly four years ago has been to preserve the status quo. That is although there were those who expressed unhappiness with an earlier decision to provide certain benefits to same sex domestic partners, we have made no efforts to eliminate those benefits.

So one thing that the media has failed to communicate is the other side. There are same sex benefits. They want health benefits but there are other benefits for same sex partners that the University of Pittsburgh has and plans to maintain.

To go further, similarly however it has been our institutional position that additional benefits including specifically health insurance benefits would not be offered more expansively until there is a change in state law.

My understanding is that there is no university or College in the nation that has same sex health care benefits. That's what I was told, not a, zero. Also their health insurance is not available to domestic partners whether they are of the same sex or of the opposite sex. So it doesn't exist with the University of Pittsburgh.

Another thing I wanted to bring to Council's attention just as information that I just failed to see in the media is the students demand, which include providing an apology on behalf of the board of trustees to the plaintiff, Ms. Hanson, for all wrong doing and establishing a queer theory curriculum. And I take exception to the word queer. To establish a queer theory curriculum for university undergraduates to further educate them on

issues of discrimination. There are lists of six demands and based upon what I am reading as far as both sides. I would just urge the university, the trustees and it has been, it is not my suggestion it's some suggestion that has been communicated to me that there be some type of sub committee. Maybe a small committee, maybe some of the trustees that are willing to meet with the students to discuss, maybe not the full board, but a small subgroup to be able to meet. To be able to cover themselves in terms have we availed ourselves to at least meeting with the constituents.

Basically, that's it. But as far as taking a stand one way or the other, that's up to the University of Pittsburgh. But I just wanted to update Council on these are some of the things I have not read until the University of Pittsburgh communicated that to me.

Mr. Cohen:

Thank you, Mr. President. I would like to correct some of the misinformation campaign coming out of the University of Pittsburgh on this issue. I appreciate it very much Councilwoman McDonald's resolution last week, which I think was a very appropriate resolution to send a letter to the University of Pittsburgh and ask them to take action to end this hunger strike.

Thank goodness the hunger strike has ended and the students of the University of Pittsburgh are not in danger of falling into ill health or god forbid dying. That a side, the misinformation campaign the University of Pittsburgh is really gone too far as far as I am concerned. For them to say that no

university or college in the United States has same sex health benefits is completely and utterly false. There are 88 colleges and universities in the United States that have same sex benefits. There are over 500 corporations in the United States as well as hundreds of state and local governments that have same sex health benefits. I would be happy to provide any member of Council and certainly Chancellor Nordenberg and any representative of the University of Pittsburgh the list of colleges and universities that provide these healthcare benefits.

More over, I believe that the university, I was not prepared to bring this up today but since it is brought up I think it needs to be -- the other side needs to be heard. That there is no state laws even in the Commonwealth of Pennsylvania which is pretty much as conservative as you can get socially. There is no state law in the Commonwealth of Pennsylvania that says a university cannot provide same sex health benefits.

So the university continues to hide behind state law when in fact there is no state law that says that. For them to make that point I think is truly disingenuous.

Secondly, the core of the problem here is that the university not only are they not providing same sex health benefits, that's a separate issue but what they are doing is they are taking a public position against a law that this Council passed. That is the equal protection ordinance, the equal rights ordinance for people of different sexual orientation. This Council passed that law back in 1990. It's been used by hundreds of people to redress their grievances who have been discriminated

against in housing and employment and public accommodation and the University of Pittsburgh says that that law is illegal.

That's really the heart of the matter right now and despite the growing political pressure they have not stepped back from that position. It's position that frankly is one that an institution of higher learning should not be taking and it is one that I am absolutely sure that the university eventually is going to have to drop because of the pressure continues to mount, a pressure from people who support equal rights.

I wasn't going to talk about this today but to hear things like that no college or university in the United States has it is unbelievable. There are 88 that have it and it's a list that everyone would be quite, they would certainly know those colleges and universities very well, they're large colleges and universities all over the country, not just large but certainly a high caliber. So I wanted to respond to that thank you.

Mr. Ferlo:

I was not here last week but the only thing that we seem to be getting out of the university any more is lies and now bigger lies. And Councilman Cohen clarified that point. The misinformation that is coming apparently now from the Chancellor, I expected it from the Neanderthal Chairman of the Board there has made some homophobic comments in the media as well as several trustee members. But I will go back to my original point many months ago. The issue is within the university on what its benefits are. I am not raising that as an issue. I only raised originally the issue and

why I am so offended by the actions of the University of Pittsburgh and their corporate law firm is that they have fundamentally gone after the city's civil rights ordinance of 1990. Now if they would withdraw and file a legal addendum to the documents that they submitted to the commission withdrawing that part of the complaint then I will no longer speak ill of the University of Pittsburgh.

Internally if they want to debate either within the unions or the non-union represented employees at Pitt what their fringe benefits are, what their benefits will be, or might be in the future that to me is an internal matter. I might have a personal view about it, but we can get on to like some normal relations with the University of Pittsburgh. But for them to continue to fundamentally attack and go after the city's ordinance that's my main will and contention that I have a problem with. It is just very disappointing that the university continues in the big lie campaign that they're engaged in and it has definitely soured relationships at least with this one vote on Council.

And I will continue to withhold and object whenever my vote comes up. I just received a beautiful invitation to attend a dinner at the University of Pittsburgh for Phil Howland, he is a wonderful gentleman, he has done so much in the City of Pittsburgh. I would like to be at that dinner. I will not respond to any requests from the University of Pittsburgh to attend anything while this dispute is going on. I am going to withdraw my vote, it is unfortunate because I care a lot about the Oakland community and the University but I am not going to vote on their conditional use expansion or anything else involving the

University of Pittsburgh until they resolve this matter.

I hope we get four other people so we can start blocking something that Pitt wants and then maybe we will stop hearing some of these Neanderthal comments by the trustees.

The Chair:

Thank you. Anything else under unfinished business? Now move to Committee Chair Reports.

CHAIR REPORTS

Mr. Hertzberg:

Thank you, Mr. President, I have a two-part report. One will, part one will be the report that has been provided to me by our Acting Director Lamar Barnes and the second part will be my own report and there will be some different tones between the two reports.

Mr. Ferlo:

I didn't know we had an acting director. Did something happen in my week being away? Do we not have a Public Works Director any more?

Mr. Hertzberg:

To the best of my knowledge Mr. Kraszewski's wife is very ill and he's taken a leave.

The Chair:

I believe he has been off three or four weeks.

Mr. Ferlo:

I was not aware of that.

Mr. Hertzberg:

Street resurfacing program, Public Works began the nine million-dollar program on April 19. The goal is 83 miles, 71 of which will be with the hot mix, the good stuff. The weather at the end of April delayed the start but there are now three crews in the communities in the 5th maintenance division.

Playgrounds, Public Works does what is called the retrofits. That is the ones that have really already been reconstructed but maybe in the last ten years they're putting the finishing touches on. They retrofitted Whiteman Playground, moving onto the five retrofits scheduled for 1999, Swisshelm Parklet, Olympia Park, Alton Playground, McGee Playground and East Carnegie.

Trails, the construction division currently is working on three trails. The Eliza Furnace Trail extension comes off the Eliza Furnace Trail, wraps around onto Saline Street and will connect with the Junction Hollow Trail. This is 90 percent complete at a cost of 50,000. The Junction Hollow Trail also known as Boundary Street Trail is 45 percent complete at a cost of 10,000. When a trail -- when the Boundary Street or Junction Hollow Trail is done, the Eliza Furnace Trail will connect between the central business district and Oakland. Pinal Trail, Southside Riverfront Park trail is 50 percent complete at a cost of 20,000.

Wall steps and fences, though both are in house crews and contracting out we have completed repairs on concrete steps

at Doke Way, 56th Street, Ottawa Street, Graibe Way, Tread Way, Martha Street, Albion Street, Bolder way and wood steps at Holt Street, Hartford Street and Husac Street. Walls at Marvista Street, Domestic Street, Luella Street, and Brookline Boulevard at Brookline Park. And scheduled for repair are Baldauf Street and Dubois Street.

In the area of park maintenance, the following facilities are scheduled for repairs and renovation in '99 Ammon, color coat two basketball courts; Armstrong, concrete sidewalk repairs; Baxter Playground, concrete sidewalk repairs; Beechview Monument, concrete sidewalk repairs; Brookline Park, concrete sidewalk repairs and shelter installation; Bud Hammer, concrete sidewalk repair; Burgwin concrete sidewalk repairs and court repairs and renovations; Catalano concrete sidewalk repairs; Chadwick, court renovation; Cowley Playground, concrete sidewalk repairs; Cross and Strauss, concrete sidewalk repairs; Ferrywood Playground court renovations and safety surface installation; Fort Pitt, color coat two courts; Frick Park, infield renovations; Granville; concrete sidewalk repairs, Heth, new field installed. I think that was something I visited with Mr. Ferlo. Lawn and Ophelia, concrete sidewalk repairs; Lewis, concrete sidewalk repairs; Marshall California, color coat one court; Mellon Square Park, concrete sidewalk repairs; Moore Park, concrete sidewalk repairs, Oakwood, color coat one court; Paulson, concrete sidewalk repairs and court renovations; South Side Market House, concrete sidewalk repairs; Tropical parklet, color coat two and a half courts and finally Warrington Playground, concrete sidewalk repairs.

That is the report from Acting Director Lamar Barnes and it indicates that there is a lot happening. Yet the other area that I wanted to report on and it is something that we on Council really don't have the ability to take a lot of action on and that's personnel. And there have just been some strange goings on in the Department of Public Works this year.

And this is the third department that I have had the opportunity to Chair since I have been on City Council and I have never quite seen this kind of goings on. Beginning with the termination of a supervisor earlier in the winter. A supervisor who one of the reasons he was terminated was he defended himself in the news media when he was attacked in the news media allegedly because his division did not respond appropriately enough to the weather conditions of that time he was terminated.

Then I think it was in March and a television reporter filmed another supervisor doing all kinds of things inappropriate things on a time when the supervisor was supposed to be doing work for the city. Those kinds of things included driving a city vehicle over to the Community College of Allegheny County, attending regular classes at Community College of Allegheny County, having a couple hour lunch with a political candidate. And I sent a memo to that supervisor and I also copied the Mayor, the Director of Public Works, the Deputy Mayor and I think all of Council also should have received it. And if you are wondering what the response was, there has been no response whatsoever to that memorandum. That was sent out on March 31 so that would be over a month ago.

After that, the same reporter discovered there was a political action committee that was being operated by our Director of Public Works and the contributors were primarily contractors doing business with the Department of Public Works. I think the Mayor did intervene after that and asked that political action committee be disbanded. I don't know whether that happened or not. I suspect it probably has.

And then finally the most recent goings on and amongst the personnel of our Public Works was shown by another television report from a different reporter and a different station, which had apparently been following a particular crew in the month of April. It showed those individuals were rarely putting in the work during the hours they were supposed to work. Several of them were in restaurants when they were supposed to be working or just doing basically nothing when they were supposed to be working.

I am hearing rumors and I am not getting much feedback from these incidents at all from the department about what is happening and what isn't happening. But they're rumors that these individuals now are being threatened with disciplinary action. I think it is much more of a question of those that are supervising these individuals rather than what these individuals are or aren't doing. There should be people and no matter who you are, if someone is not telling you what your supposed to be doing during your shift, it is kind of hard to find something to do if you are not being directed to do that. Whether you are working for the government or whether you are working for the private sector, it's the same. People

have to supervise.

But now I understand some of those individuals, or one of those individuals now is being threatened and of course their response is what about the guy, the supervisor, that was on film with conduct that was at least bad or worse, what is going on with him? I have no answer to that. I don't know.

But I can tell you this, and it began early this winter when I asked the director. I said, you know you have a big morale problem in this department. When you start firing one of your best supervisors, one of your hardest working people over what I did not feel was a very serious infraction, and the problem is just growing worse and worse day by day. Now with these latest revelations I just have great concerns for the good workers and they're in the majority in the Department of Public Works.

There is no doubt in my mind that a lot of them are looking over their shoulder wondering who is next? Why they're going to be next? The morale is at an all time low and I tell you what it impacts on some of the other departments. I had people in other departments with no, they're totally unrelated to this particular story that came out last week, but that are being shown to be the loafing types or city workers are not doing anything and that's not fair to them either.

So I am just calling on the Mayor to try to give us some new direction here in the Department of Public Works. We seriously need it and he's the one that can provide it.

Finally, last item I want to report

on in Public Works, we did take some action last year for American Public Works Association Accreditation Program. Something is starting to happen on that. Mr. Barnes will be attending a self-assessment workshop on May 20, 1999. The initial cost is \$3400 and we passed a resolution authorizing and directing this to happen last year. This is just the initial stage of it. You assess yourself and then the association will come in and review that assessment and make some recommendations.

The Chair:

Thank you for your report.

Mr. Ferlo:

First I want to thank Councilman Hertzberg for his hard work on the committee and also for his reports. A number of colleagues said that they did not have the benefit of watching the Channel four report of last week. I would like to make a motion regarding this matter of the last week and a half involving Public Works, but before I make my motion, I would like to play this tape real quickly.

(Video was shown from WTAE-Channel 4.)

Mr. Ferlo:

Thank you, Mr. President. Sorry to have taken the extra time but not everybody had the benefit of seeing that report.

Obviously the report dramatizes some of the situations because you have a city worker what appears to be laughter or dancing around or spending sometime

eating lunch. That in itself is not condemnation. I have had the pleasure and I am sure other colleagues of having worked with hundreds of Public Works employees over at least 12 years of public service and I have had the pleasure of working with a lot of folks. I know a lot of Public Works folks work very hard day in and day out, all night long. It is unfortunate that a few bad apples have spoiled the morale, the image and projected a very poor image on the part of the whole Public Works department.

Now unfortunately as has been the case with the other issues that Councilman Hertzberg has raised for the last many months, we have our Deputy Mayor, our official flack catcher of the Murphy administration, at the end saying he's going to deal with it. We know better. Nothing is going to come out of it. It's one of the reasons why I was so vociferously opposed to Mayor Murphy's garbage tax because we don't need the garbage tax. I am not never going to vote for a garbage tax. So we better get the Public Works house in order because it is not in order.

I am extremely upset and I spoke two weeks ago that someone took enough time to take a yellow spray can and put yellow spray can around all the potholes along the marathon parade route, so that Public Works would know to fill them prior to the start of the run along the 26.2 miles. Now whoever has that spray can, I would ask them to please keep going down the other streets. So Public Works knows where the potholes are because at least in my Council District and throughout the city you have significant potholes that are causing automobiles to go get a front end alignment and then have

to have a repair bill.

So I would ask that Public Works please get out in between their lunchtime at Aiello's Pizza and please try to fill the rest of the potholes. But what I would like to ask, Mr. President, I think we have to do a couple of things because it is clear to me that the Mayor, and I know the Mayor and he works very hard. I think we can taught successes of his administration in many different ways, but the one way he cannot taught any success in his administration is the mismanagement and incompetence in the Public Works Department in particular.

We have millions of dollars being spent and we are not getting the bang for the buck. And it has got to change. It's got to start by Mayor Murphy himself taking the leadership. It took me four years to get rid of a Parks Director that was a complete zero. Now we have the same situation as far as I am concerned in Public Works. And I find it outrageous that Mr. Paolino was fired and I still to this day don't even know why he was fired. I hope he sues the administration. I would like to be a witness in the court of law on behalf of Mr. Paolino because I think he got the royal works done on him, let's put it that way. And it's clear from this report that it is not the laborers to set the bottom of the employment ladder.

I would like to know what is happening in terms of the foreman, the supervisors, the deputy's and the director. It's a poorly run department. You can see it all over the city, in parks and you see it in streets. Now I know why the street sweepers are down here in the middle of traffic in the morning trying to clean the streets because they're not doing it in the

middle of the night because I guess they're eating pizza all night.

But I would like to ask two things. First of all, I think we should ask the office of the City Controller to do an audit, a payroll audit. I mean they should be doing some of the stuff that this gentleman from Channel 4 did. I would like to ask Mr. Flaherty to review this Channel 4 report and conduct some type of performance audit as it relates to how much we are spending to get certain things done in Public Works and what the efficiency is of the Public Works Department.

I think it is an appropriate activity for the office and the City Controller and I would like to ask him to review this document from Channel four and review payroll records and do some site visitation. Whatever they need to do to try to better understand the performance or lack therefore of the work force of Public Works.

But secondly I don't think we should wait to speak to the Mayor again until the end of the year when he comes for 20 minutes during the budget proceeding. I think given the situation that Councilman Hertzberg articulated earlier, a series of things involving Public Works given this Channel four report, I would like to ask that we have a special meeting and ask the Mayor to take one hour out of his busy schedule. I know he is very busy, but I think it is appropriate that we ask the Mayor to come to chambers and we talk about the Public Works Department. And if we have to show the tape again, we will start with that.

I think we should have an open and frank discussion about the lack of

management and lack of objectives and goals in that department. And I would like to respectfully request and ask both. I will do it in the form of a motion. I would like to suggest that we formally have a follow up meeting involving a number of issues of Public Works in the department. I would ask if Councilman Hertzberg could kindly chair that meeting but I would like to specifically ask pursuant to our authority under the Home Rule Charter that we request a formal meeting with the Mayor here in chambers.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Mr. Hertzberg will schedule a televised meeting.

Mr. Ferlo:

Thank you. I am going to start spray painting the potholes in my district. So please don't arrest me for graffiti. I am only trying to protect life and limb.

The Chair:

Any other comments. Certainly, I don't think it's a priority of this administration it starts with the Mayor and he has to show a priority there, leadership direction. There is no direction, no goals and probably most important his follow up. I have been screaming, if you come to my neighborhood and look at the streets and the cleaning of the streets, I think it's what I used to do. I took some Public Work Directors and I put a pop can in front of my house and they told me the

street was done. I brought them out and had to show them the pop can. They would admit that it wasn't done. The bosses have to go out and check. It is what you inspect not what you expect. I ran a restaurant chain for 20 years. Everything is rosy until you get there. Unless the bosses are going to work night shift and go out and see what is going on and follow up you can tell the streets being cleaned or not.

So, it is not brain surgery and I am really getting fed up myself. My wife can't even come home from the Giant Eagle and they are complaining to her about the potholes. She goes to the other Giant Eagle. She will probably be leaving the city to go to Edgewood Town Center because she doesn't want to hear all the complaints about our streets. It is not fair to all of us who work very hard but there is no follow up and no leadership. So I hope they are hearing us next door and follow up and give some direction and leadership and get the right bosses to make sure everyone does their job. I am sure these people will give you eight hours work for eight hours pay if they're watched.

Mr. Ricciardi:

Obviously, Mr. President I welcome the suggestion by Councilman Ferlo to meet with Mayor Tom Murphy about a department that is very important to the delivery of services throughout the city. And I was very pleased that Mr. Ferlo did mention as his remarks that this is a very poor reflection on the entire department. One, I don't think that is systematically through it.

For example, last week and I could just commend the Forestry Division. I am

working very closely with the Forestry Division on a few matters. But a month or two ago I recall there was crew working very diligently on 18th Street on the Southside. I called the director at the time and I said I am very proud that these individuals are out there even in the rain itself. Just last week Mr. Diven and I had reason to go see Lamar Barnes. Mr. Barnes took care of the matter immediately. Today I just received a phone call from Mr. John Radcliffe regarding two curbs that I called Mr. Booker today at 9 a.m. and John is already taken care of it and it is 2:30, three o'clock. So there is so much good going on and it is just a bad reflection. I am not backing away from this meeting. We need the meeting.

But there are just so many goods individuals in that department both the management and the work staff itself. The rank and file that this issue needs to be addressed, but I just can't take away from what occurred last week with the Forestry Department, with Mr. Booker, with Mr. Lamar, with Mr. Radcliffe. Also I needed some garbage cans taken care of and moved to different locations and Mr. Bardy (phonetic) took care of it within one morning. So there is a lot good going on.

I hope that would be part of the discussion but what happened today does reflect very poorly on all city employees including their esteem body, including legislative body, including Mayor Tom Murphy. Also it just sends out a message, poor message to taxpayers on how are their taxes being spent. Are they being spent wisely or not? And now it is going to be more difficult for myself, Gene Ricciardi, to go out there and say well

we're doing the best we can because I think people are going to say well I think you guys could do a little better after seeing that report. So I don't want to take away from all the good that has occurred including today with a few of the individuals I worked with.

Mr. Onorato:

I just want to add, I look forward to the meeting also. And I don't want to take away from that meeting. I want to stress I really feel bad for the men and women of Public Works that are putting in an eight-hour day because this has just tainted the entire division. They are all going to be accused of not working because of what you saw on there.

What else has to happen besides this meeting is you need some strong action that's got to be swift. That report is a week old. We need to know publicly what is happening. Not just for the taxpayers even though they deserve it. But also for the men and women who are working eight hours a day. They have to have morale booster here to know that this won't be tolerated. I mean do you know what happens out there when you have these divisions and the workers are the first to know who doesn't do anything, who is slacking off. And if they see there is no reprimand for that, the morale just sinks. Something has to be done and it has to be done quickly.

I think in addition to the meeting we should first have from Sal Sirabella and the Mayor's Office what exactly is the response to this report and to what is happening out there. I don't know what it is, and if someone here knows. I just find it ironic I have in my hand here a letter,

date stamped today from a constituent on the North Side complaining about the response from the animal control. I guess I know the answer now. I could call and tell them what is that road where they were parking?

Mr. Ricciardi:

By Neville ice-skating.

Mr. Onorato:

By Neville ice-skating and we have them sitting there and they were wondering where is the animal control personnel. Now how can I legitimately write back to this woman on the North Side and tell them why she is not getting response from animal control? That's a disgrace. We have a -- something has to be done here and it has to be publicly known what is the ramification for what happened here.

I can't stress that more than the action has to be swift it has got to be severe and it has to be public. Because if not, the taxpayers are frustrated, the workers are frustrated and we are stuck in this vicious cycle where if we don't get out of it soon the city is going to collapse, the maintenance of the city is going to collapse.

Mr. Diven:

Yes. I would also like to follow up on something that Councilman Ricciardi had mentioned. I think one of the things that the administration and Council needs to do in addition to going back and doing the performance study of the department and looking at the organization, and management, is we need to make sure that

the good people and good managers that have a proven track record in motivating people and making sure that they are going above and beyond what they are expected to do are made to feel comfortable and are reassured that they are doing a good job.

I know that I was critical in my division during the snowstorms but I can tell you with the arrival of Mr. John Radcliffe over there, we have had a great working relationship there. The people in that division are probably the same people in that division are so much more responsive and so much more attuned to solving problems and in a timely and efficient manner. It is been a great reflection on the Public Works and my office because we are now able to accomplish things instead of give people excuses on why we can't get something done.

But I think one of the things we need to be aware of is we are losing the leadership of people that are good management people and good leaders in that department because we're not providing them with the support and making sure that they have the tools and the resources to accomplish that. I know Mr. John Tortorete from the asphalt plant recently I believe as early as this week has left the city and taken a job in the private sector. I can tell you in my dealings with him he was the guy that went above and beyond what he was supposed to do to keep that plant operational and keep it efficient. And he made sure that the people that worked in that plant and worked on the paving cruise did the job and did it at a level of quality and a level of standard excellence that rarely you find in the public sector. I think that they're the kind of people that we need to provide the

support to. I know that the department has a number of great managers, but the problem is the Mayor's Office and Council and the director of the department don't put those people in a position to continue to succeed and allow other people that will settle for having crews hanging out at CoGo's or eating pizza for half their shift. Then those people that work and take their jobs serious and perform beyond the standards that they should be performing on then, they get the attitude well why should I even try if no one else is.

I think that's the message that we really need to have that conversation with the Mayor when we sit down and have this meeting. We need to start to find out who are the people in that department, who are the great managers and the great motivators for people in Public Works? How can we provide them with the resources they need to make their job more successful? I don't think that's happening just in some of the cases that I saw. But in some of them that I have seen like with Mr. Radcliffe the turn around in that division I think that's fantastic.

I think that is what we need to recognize as well as that when someone is doing a good job and when someone is working with other departments and members of Council to make sure that they answer complaints and requests for service in a timely fashion, we have to be more supportive of those people. That's one thing I would like to be able to stress when we have this meeting. That we do have some great people, it's just empowering them to do their job to a level that they're not able to reach right now because the direction isn't there from Council and the administration and the department director.

Mr. Ferlo:

As a follow up. I asked a little bit last week but the bill that we're voting on today, Bill 1543 premium pay for Public Works, I am voting no or abstaining on this. I don't even know what it is for. I am being told apparently it is for Public Works working overtime supposedly during the snowstorm but I don't know that.

I am not going to feel comfortable voting on this today. I don't know if we are voting on this because the Mayor raised the trails and all Public Works folks are down there because they are trying to finish it before the June conference instead of doing all the stuff that we need done around the city. I don't know what I am voting for today and this is a significant amount of money. So I am going to have to abstain later on because I don't know what I am voting on in Public Works. I am not paying any premium pay when people should be doing the work during an eight-hour shift.

The Chair:

Well I certainly want to end with there are a lot of good employees, and there are a lot of good supervisors. I think it has to be a priority. The emphasis has to change. If you look at what happened to downtown when the All Star Game came, it got done. Whoever the personnel. That's not my decision or our decision, but it is certainly that the leadership starts at the top. Whether it is good or bad and we hope that it shouldn't have to take a news reporter to shake it up because we are all hearing and we have been saying for over a year what is going on here.

Unfortunately it is taking news reporters to get some action and I certainly want to commend and thank them for their reports. But it shouldn't have to come to that. So I hope the leadership takes the bull by the horn and gets this thing back on track.

Moving on to Reports of Committees.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1588:

Report of the Committee on Finance and budget for April 28, 1999, transmitting sundry of resolutions.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1522:

Resolution providing for the transfer of the amount of One Hundred Fifteen Thousand Dollars (\$115,000.00) to the Special Parks Program Trust Fund, Account 491120, Fund 7314, Organization 523000, Budget Year 1999 from the Special Summer Food Service Program Trust Fund, Account 581130, Fund 2855, Organization 521220, Subclass 600, Budget Year 1999 all in the Department of Parks and Recreation. (PRESENTED BY MR. RICCIARDI).

Which was read.

Also,

Bill No. 1524:

Resolution providing for the issuance of a \$16,330.49 warrant in favor of Housing Authority of the City of Pittsburgh, 200 Ross Street, Pittsburgh, PA 15219 in settlement of a claim in which a City Police vehicle hit and damaged claimant's vehicle.

Bill No. 1525:

Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, known as Lien Excluded Properties acquired at tax sales, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(a) 830 Steuben Street, 20th Ward, Block 19B, Lot 14, being sold to West End Elliot Joint Project 406 S. Main Street, being sold to West End Elliot Joint Project. Vacant lot containing an area of 5,012 sq. ft., \$100.00. Intended Use: Future Development. Council District 2.

(b) 518 North Avenue, 23rd Ward, Block 23M, Lot 109, being sold to East Allegheny Community Council. 2.5 sty. brk. hse. Situated on a lot containing an area of 1,600 sq. ft., \$1,000.00. Intended Use: Future Development/Marketing Council District 1.

(c) 1911 Meadville Street, 25th Ward, Block 46R, Lot 112, being sold to Fineview Citizens Council, Inc. Vacant lot containing an area of 1,134 sq. ft., \$100.00. Intended Use: Future Development Council District 1.

(d) 1913 Meadville Street, 25th Ward, Block 46R, Lot 111, being sold to

Fineview Citizens Council, Inc. Vacant lot containing an area of 1,146 sq. ft., \$100.00. Intended Use: Future Development. Council District 1.

(e) 930 Mellon Street, 11th Ward, Block 82R, Lot 58, being sold to Highland Park Community Development Corporation. Vacant lot containing an area of 2,586 sq. ft., \$100.00. Intended Use: Future Development. Council District 7.

(f) 807 Mellon Street, 11th Ward, Block 83B, Lot 379, being sold to Highland Park Community Development Corporation. 2.5 sty. brk. hse. Situated on a lot containing 5,255 sq. ft., \$1,000.00. Intended Use: Rehab for resale. Council District 7.

Which was read.

Also,

Bill No. 1526:

Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, known as Lien Excluded Properties acquired at tax sales, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(a) 427 Walde Street, 16th Ward, Block 32E, Lot 69, being sold to South Pittsburgh Economic Revitalization Team, Inc. 2 sty. alum. Hse situated on a lot containing an area of 2,500 sq. ft., \$1,000.00. Intended Use: Future development. Council District 3.

(b) 829-830 Warrington Avenue, 18th Ward, Block 14B, Lot 315, being sold to South Pittsburgh Economic Revitalization Team, Inc., \$1,000.00. 2 Sty. brk. tavern bldg. Situated on a lot containing an area of 2,350 sq. ft. Intended use: Future Development. Council District 2.

(c) 210 Parkfield Street, 29th Ward, Block 95C, Lot 16, being sold to South Pittsburgh Economic Revitalization Team, Inc., \$1,000.00. 2 sty. brk. & shg. Hse situated on a lot containing an area of 3,486 sq. ft. Intended Use: Rehab for resale. Council District 4.

Which was read.

Also,

Bill No. 1527:

Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(a) 5805 Bryant Street, 11th Ward, Block 82-M, Lot 113, being sold to Edward J. & Gail Lesoon. Vacant lot containing an area of 3,100 sq. ft., \$1,500.00. Intended use: Future development. Council District 7.

(b) 7029 Lemington Avenue, 12th Ward, Block 173-A-159, being sold to Robert M. Nash. 2 sty. brk. alum. & fra. house, 2 car c.b. gar. Situated on a lot containing 7,167 sq. ft., \$2,500.00. Intended Use: Rental Unit. Council District 9.

(c) 616 & 618 Brushton Avenue, 13th Ward, Block 174R, Lots 211 & 213, being sold to Charles H. Johnson. Two vacant lots containing a combined area of 4,134 sq. ft. (2,067 sq. ft. ea.), \$2,500.00. Intended Use: Parking lot for business. Council District 9.

(d) 7229 Hermitage Street, 13th Ward, Block 174B, Lot 334, being sold to Tamara Thompson & Ramont Smith, \$500.00. 2 sty. brk. hse. & gar. Situated on a lot containing an area of 2,342 sq. ft. Intended Use: Personal Residence. Council District 9.

(e) 1300 & 1302 Columbus Avenue, 21st Ward, Block 22F, Lots 222 & 223. Being sold to Greater Allen Full Gospel AME Church, \$3,500.00. Steel Gar. Shop & 1 sty. fra. shg. Sto. Situated on a lot containing 843 sq. ft. together with adjoining vacant lot containing 1,440 sq. ft. Intended Use: Develop for Church Ministry Work. Council District 6.

(f) 833-835 Canal Street, 23rd Ward, Block 9-B-21 & 22, being sold to Donna M. Norris, \$1,000.00. Intended Use: Two vacant lots containing a combined area of 5,060 sq. ft. Additional yard space. Council District 6.

(g) 1703 McCullough Street, 25th Ward, Block 22H, Lot 158, being sold to Frank Gaines, \$500.00. Vacant lot containing an area of 1,100 sq. ft. Intended use: Additional yard space. Council District 6.

(h) 1446 Columbus Avenue, 21st Ward, Block 22J, Lot 301, being sold to Greater Allen Full Gospel AME Church. 2.5 sty. brk. hse. Situated on a lot

containing 1,380 sq. ft. \$5,000.00.
Intended Use: Church ministry work.
Council District 6.

Which was read.

Also,

Bill No. 1543:

Resolution transferring the amount of Two Hundred Thousand (\$200,000.00) Dollars from Salaries to Premium Pay, both within the Department of Public Works. (PRESENTED BY MR. HERTZBERG).

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Hertzberg:

Bill 1543 that was just referred to by Mr. Ferlo, I make a motion to recommit.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

On Bill 1522 I would like to amend from 115,000 to \$90 thousand. Matter of fact it's less money.

MS. MCDONALD seconded the motion.

Mr. Ferlo:

Discussion.

The Chair:

You want to explain?

Mr. Ricciardi:

According to our Budget Director it appears that the wrong numbers were used in the original resolution that was put forward by the Department of Parks and Recreation. It was a mistake for a lack of a better word, and Mr. Scott Kunka realized that the number really should be 90,000. Again, it is less money. So that's the reason I am not questioning them.

Mr. Onorato:

Before I vote on this Mr. President, I also want to be assured that the Executive Secretary won't send a letter to all the food programs that we defunded their food because of street paving. We moved money around to do it so for those letters are going out of here. I want to make it clear that City Council did not take food out of children's mouths because we want to pave roads. If there is a memo out there circulating the city it's a lie and I just want to make sure that's clarified.

The Chair:

You want to cc Mr. Cox on that?

Mr. Onorato:

I will make sure I do.

Mr. Ricciardi:

Just on that note, I think maybe at the end of the meeting Mr. Onorato could better explain. I know exactly what he's

talking about. But for the viewing public hopefully he will be able to explain exactly the essence of his remarks hopefully after the meeting.

Mr. Onorato:

I will explain it now. I am still upset. I haven't heard anything. There is a letter that was sent out to one particular group, I don't know if it is the only group, there might be other groups. That any time there is a reduction or there is a denial of a request, I should say, there appears to be a blame on this Council because we decided to move four million dollars of bond money for asphaltting the streets. Yet these accounts are coming from Federal block grant dollars. Have nothing to do with the money we move. There is no relationship between the two.

The block grant dollars have not been cut. These groups are funded or if they haven't been funded it is because administration decided not to fund them. Council is not moving or reducing any account that has been approved in the budget when it comes to CDBG. We moved bond money around and it came out of big time downtown development projects no where else.

So if any misinformation is out there I just want to make sure it is clear that Council did not reduce this. This reduction is coming from the administration and it is the administration's doing. It had nothing to do with the asphalt.

The Chair:

Bills are now ready for final action. All in favor of the passage of the bills vote

aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine NOES None

Bills have received the legally required number of votes and have passed finally.

MS. MCDONALD PRESENTED:

Bill No. 1589:

Report of the Committee on Housing, Economic Development and Promotion for April 28, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1515:

Resolution Approving
Modification No. 7 to the East Liberty
Redevelopment Area Plan (Council
District No. 9).

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Diven	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Ms. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES Eight NOES None

Bills have received the legally required number of votes and have passed finally.

MR. RICCIARDI PRESENTED:

Bill No. 1590:

Report of the Committee on Parks, Recreation and Youth Policy for April 28, 1999 transmitting two resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1521:

Resolution Amending Resolution No. 349, approved June 15, 1998, effective June 23, 1998 entitled " Authorizing the Department of Parks and Recreation to enter into a contract or contracts, agreement or agreements, or the use of existing contracts or agreements for the purchase of furniture and equipment in an amount not to exceed One Hundred Thousand (\$100,000.00) Dollars for the Parks and Recreation Senior Interests Program," by reducing the amount of the resolution by \$25,000.00.

Which was read.

Also,

Bill No. 1523:

Resolution authorizing the City of Pittsburgh to accept ownership of the following vacant lots located within the City of Pittsburgh to be dedicated for public use as parklets.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Roll call, please.

Mr. Ferlo:

Maybe we could just --

Mr. Udin:

Motion is to keep --

Mr. Cohen:

Motion to waive the rules and let there be no discussion on the table. I can't vote on this.

Mr. Udin:

You can't waive the rules.

Mr. Cohen:

Yes you can.

Mr. Udin:

It's not a City Council rules, Mr. President, is it Robert's Rules of parliamentary procedure.

Mr. Cohen:

You can waive a rule of parliamentary procedure.

The Chair:

Call the question.

Mr. Cohen:

I abstain. We have no information on this bill.

The Chair:

Does the chair want to recommit for tomorrow?

Mr. Udin:

Motion is to table.

The Chair:

If you want discussion you will have to recommit that is all.

The Chair:

Motion to table is on the floor.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

(Mr. Hertzberg voted no, Ms. McDonald abstained.)

The Chair:

Bills are now ready for final action.

Mr. Udin:

Mr. President, on Bill 1529 please have my comments brought forward from the Standing Committee Meeting, please.

(See addendum for comments)

Mr. Ricciardi:

Thank you, Mr. President, on the bill that you put forward I think it is a very

good idea, one that needs to be explored. Any time we have an opportunity actually not to help a life but to save a life, we have to look at different ways and innovative ways to deliver that service. And obviously it is just common sense if traffic is backed up, if you have some very difficult streets to navigate, I think putting an individual on a motor bike that could deliver that life support system fast and as quickly as possible is a good idea, Mr. O'Connor.

As you know, you and I attended a function in the Southside of Pittsburgh and there was a table there of senior citizens and the elderly. They commended and complimented you. I am very proud to support your bill. Obviously there were more details during the committee session but that is just some of the highlights I would like to touch upon. Congratulations.

The Chair:

Thank you for your support. I would like to clarify it is in the hands of the Public Safety Director and Mr. Kennedy is in charge of the paramedics and they're testing their pilot program from the paramedics. We're suggesting four to five motorcycles be tested and where it goes from there we will know in July. We have had calls from different paramedics versus fire and has nothing to do with that, it's a test, a pilot program and hopefully we can expand all over the city.

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Will the Clerk please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine NOES None

Bills have received the legally required number of votes and have passed finally.

MR. FERLO PRESENTED:

Bill No. 1592:

Report of the Committee on Engineering and Construction for April 28, 1999, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with a negative recommendation.

Bill No. 1512:

Resolution Further amending Resolution No. 781, effective January 1, 1999, entitled "Adopting and approving the 1999 Capital Budget and the 1999 Community Development Block Grant Program; and approving the 1999 through 2004 Capital Improvement Program," by creating a new line item entitled "Traffic Signals at Seventh Street and Penn Avenue."

Which was read.

Also,

Bill No. 1513:

Resolution Providing for a Contract or Contracts, or use of existing Contracts for the purchase and installation of new traffic and streetlight poles and fixtures at Seventh Street and Penn Avenue; at a cost no to exceed \$40,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Ferlo:

Discussion. I believe the one bill regarding traffic signalization had a negative only because the majority of colleagues were concerned about not having a response from -- they were both voted on negatively. Lack of response from the administration and clarification on Deputy Mayor Cox's letter regarding some misinformation that he put into writing to a community group. I am not sure it got any more resolved.

I do know that the administration is sending a bill over and making some changes to the overall community development block grant in order to fulfill the Mayor's desire to assist a community organization with some community development block grant funds. I was very pleased that the Mayor intervened and helped to resolve that issue.

I hope that straightens out the other misinformation letter that went out as Councilman Onorato rightfully pointed out, all the asphalt money is capital bond money and nothing to do with the community development block grant to the best of my knowledge.

Mr. Udin:

Yes, I believe its clear to colleagues that as Councilman Ferlo suggested this was kind of a way of getting the administration's attention. But if we are going to vote this down I would rather recommit them so that we can have another opportunity for discussion rather than to have a negative vote today.

Mr. Ferlo:

I think we made a lot of progress this last week and I would ask my colleagues to please vote in favor of these line items. We need to repair all traffic signals throughout the city but especially given the new construction of this area. It's very important that we proceed and any time we get a chance in Engineering and Construction to do work, we have to try to get the work done.

Mr. Onorato:

I am willing to vote for this. From what I have heard from Councilman Ferlo even though you got that stealth response from the administration, I want to go on good faith. That it was maybe a one time mental lapse that this letter went out. If there is a second letter found out to a different group with the same kind of wording that was inaccurate, we would have more than enough opportunity to shut down the movement of other capital

dollars until this is clarified.

So I am willing to move forward and chalk this up just as a mental mistake that won't happen again.

The Chair:

Very generous.

Bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine **NOES** None

Bills have received the legally required number of votes and have passed finally.

The Chair:

Under motions and resolutions.

MOTIONS AND RESOLUTIONS

Mr. Hertzberg:

First there is a motion that Linda has.

MR. HERTZBERG PRESENTED:

No. 1593 WHEREAS, the Bavarian Beneficial Association is a 501(c) (3) non-profit corporation.

WHEREAS, the Bavarian Beneficial Association desires to operate certain small games of chance and/or conduct raffles to generate funds for programming to further its mission in service to the people of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the Council of the City of Pittsburgh hereby recognizes and declares the Bavarian Beneficial Association, to be a civic and/or service organization within the context of the Pennsylvania Small Games of Chance Act, as amended

Now therefor be it resolved that the Mayor and the Council of the City of Pittsburgh hereby recognize and declares that the Bavarian Beneficial Association to be a civic and service organization within the context of the Pennsylvania small games of chance act.

MR. FERLO moved to adopt.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Yes, Mr. President. First I want to thank, since Channel Four isn't here, I want to thank the Public Works who worked very hard over the weekend especially with the marathon. I observed nothing but hard working folks lifting

barricades and doing a lot of great work.

But I was a little bit upset and I was curious to know if my other colleagues along the parade route, Bloomfield is one of the busiest corridors for the Pittsburgh Marathon. I probably personally have one of the largest events that I have had every year for the last ten years. But I was a little bit concerned because I don't know if there was less money for the marathon or if they spent money on bands or whatever they spent the money on. But this year there were very few if any portable toilets along the parade route throughout the Bloomfield corridor.

I don't understand why either someone forgot to order them, but we have thousands of people throughout Bloomfield Liberty Avenue corridor and it is really rough on the restaurants and everyone else. I don't understand why they didn't have port a johns this year.

Also I was very concerned because they usually have those disposable garbage receptacles. They are kind of like throwaway boxes with the plastic bags in them. But there were no receptacles and Bloomfield was a completed mess. You can't have thousands of people along the parade route with vendors and not have a lot of garbage. I don't know, a lot of work has been done to clean up since the marathon day. But I would just ask that the Marathon organizers or that Public Works if we had a Public Works Director would let the Marathon Committee know in the future they should submit a plan for port a johns and receptacles for trash along the parade route.

I mean if we let them take over the

streets and close it they should cooperate with us. Also, if they are working with us to get it to be a great Pittsburgh event, that means lots of people are out on the streets. A lot of food venders, especially when it is a hot day and there has got to be places for people to use the bathrooms and for trash. That was not prepared this time. I don't know if there was a short on funds or I don't know what happened. But at least through the Bloomfield corridor those things were not present, it was very bad. Thank you.

The Chair:

I believe I would ask you to look into or possibly someone in the Bloomfield Business District as your representative to check the meetings when it was started, the planning for this event versus last year. I believe there was a shortcoming there and also, maybe for next year that you ask someone in your neighborhood to be on that committee.

Mr. Ferlo:

There are people that don't even like the marathon and a lot of residents complain to me that they wish the marathon didn't even happen. So if you're going to keep the marathon, let's not step on people's toes any more than we have to. So if it is starts getting to be an event that the neighborhoods find to be oppressive or not something they want to deal with every year, that is not going to work either.

It's like the film crews. I get calls sometimes because the Pittsburgh film office doesn't always follow up with residents when they're closing streets down and it's not fair. I don't want to interfere. I don't want to get involved with writing

an ordinance or resolution because I think it's working well. The film office works hard. I want to keep making films here but they have to do a little better effort and communicate to the residents for these kinds of events. Other wise people are going to turn sour on these events and that is not going to help the city.

The Chair:

My point is, I got a call I think Thursday from someone in Public Works who had been involved and was afraid of this because they said the planning wasn't what it usually was. I just heard it at the last minute so I certainly couldn't do anything about it, but possibly for next year you can look into the planning of it.

Mr. Ferlo:

I wasn't aware of that. Thank you.

Mr. Onorato:

I just want to point out, I know it sounds like a small point but I just want to echo what Councilman Ferlo said. I spent two hours over in Bloomfield and I was walking Liberty Avenue. It amazes me that after how many years has this marathon been going on, there were no trash receptacles, just the standard ones that we have there. Every single one was over flowing. There was stuff every where.

What would it take to know that we have to line the streets with these cardboard boxes? There was nothing. People were stopping me as a Councilman saying, what can I say they were right. It's not like this is the first time we had the marathon. We do this every year. So once

again that has nothing to do with the employees. That was a managerial mix up that someone didn't put the trash receptacles out. Bloomfield, there was trash every where.

Mr. Ferlo:

It was Councilman Ricciardi in the past had all the problems with the Southside Festival. Under his leadership a lot of those problems got straightened out but we don't want to lose the marathon. And we don't want people in the neighborhoods to turn sour on it. So they have to be conscience of it. You know if is typical of the University of Pittsburgh's mentality.

The Chair:

I would presume that there is -- the committee.

Mr. Ferlo:

Tell them to quit paying for big corporate law firms attacking the city, maybe they would have some money for receptacles.

The Chair:

I would request that the race committee at least let us know if there is follow up meeting to point these out so it doesn't happen next year. I certainly can agree with you and Mr. Onorato is that going to be our next expression. I walk up Murray Avenue every day saying what do you want me to do.

They are probably calling for potholes right now it is probably my wife saying fix that pothole.

Mr. Ferlo:

That's another thing. And Mr. President, I still don't get a sense of Public Works changing their asphalt pothole patching policy. Because why send a truck to one pothole based on a citizen complaint. Go up and down the darn street and fill the potholes. They have these trucks going miles apart to fill one pothole because Mrs. Calabust calls into the Mayor's Complaint Center. It's completely stupid, inane system. I mean fill the potholes, go up and down the grid system of the streets and fill the darn potholes. Don't go to one pothole complainant's house and fill one pothole and then send a truck five blocks away to fill the second complainant's house pothole.

Is anyone running this city?

The Chair:

Can I make one last suggestion on this issue? We have five divisions; the graffiti should be taken care by that division, the potholes by that division, the forestry by that division. I mean it is not brain surgery here. We have good people, let them be responsible so that when they ride by a tree in front of a stop sign they don't have to call forestry from North Side to go to Southside. They just stop and they fix it. I mean making someone responsible for a district, which is maybe they are 75 percent responsible but somehow they are not all.

So again, why have five persons or people on one truck? Why not have you know four trucks with eight people on them or two each. We will save that for our meeting but I would send a strong

suggestion that they just look at the way they're doing it I think they could do it a lot better and again I will give you another management, let's work smarter.

Mr. Hertzberg:

Another subject. Different subject. There is a business that is headquartered I guess in my district. It is called Just Ducky Tours and if you looked around you probably seen the unusual tourism service that they offer. And I think it is a great business that they brought into the area. They have an amphibious duck boat that takes people on tours first on land and then in the water.

Well I am very concerned that they may be a casualty of our construction of the PNC Park stadium. There is a situation that they are faced with now and I think we are faced with the city government with them that really threatens their existence and operation. This is a business that was started by two young men who had a great idea. They're not from Pittsburgh but they moved here, spent their entire life savings, borrowed money, put this thing together with these tours and it's been a great business. They get along well with all the other boating and tourism activities in the area.

What has happened is we agreed, the city agreed about two years ago, and I have the permit here, that they were to be able to get out of the water near the stadium, near Gate C and then get on to the roadway by going near where the River Rescue facility was, out that driveway there onto the public road. Well as you know that River Rescue, at least the portion that was used by the paramedics and the Fire Bureau has been demolished.

The entire place is now a construction zone. With that, the Just Ducky Tours operation has no means for getting out of the water and onto the road over there.

What they have been doing since the demolition has really gotten serious this spring is they have had to change their route completely. They have had to get in and out of the water in Mr. Ricciardi's District over in the Southside public landing area and it's been a tremendous inconvenience. It has actually cost them money now where because they want to get their tours rolling and off on their big lines, they have had to actually hire police to get them in and out there on the Southside. And apparently no one is offering to reimburse them either, or the city is not even offering to pay those expenses for the police. But even that route is not what we, number one, agreed to do for them; or number two, what is appropriate for the kind of tour.

It doesn't make any sense to show someone our rivers down there in this amphibious craft which can only go five miles an hour in the water. I mean they really can't get to the greatest views when they're starting there. They just don't have time to do it. So they're not. They're really not showing the good tour and also I guess the composition of that river being the muddy river that it is, is taking the toll on the maintenance of their vehicle.

They're having a heck of a time. There was a proposal to put a temporary road just past the Sixth Street Bridge. We're going to put a temporary road and I guess we needed property from North Shore Commons One. A small piece of their property temporarily and the city had agreed that they would not only put it back

the way it was but actually improve some of their land when this was all over. And this was just to be during the period of construction of PNC Park.

When they constructed the stadium access is going to be built into it and that access and it is not only access for Just Ducky Tours, it is also emergency vehicle access. At some point in time our emergency vehicles are going to be completely blocked off from river access as well if we can't get this route. It's a terrible dilemma.

If anyone knows North Shore Commons One and can get through to them because some of their rationale for this move doesn't make any sense at all. They're saying Just Ducky Tours is going to cause our tenants to move out of the building. Meanwhile the tours go by the front of the building already, closer than they would be under the proposed road. It started out with this particular landowner saying everything is okay then it went to Just Ducky Tours is not okay, then it went to nobody is okay. Now our emergency vehicles are saying not even that they can go in and out from this facility.

When we're looking into constructing a whole new ramp over near the, I guess it's called the Manchester Bridge Pier which is going to be a tremendous project, going to take Engineering, it's a hillside, it's going to be a big challenge to construct a new ramp over there. I mean it's a dilemma I have been trying to deal with.

I have made a number of phone calls to people in the Mayor's Office, to Mr. Leeper. I know everyone is working on it. But in the mean time this business is

really, the duck business is floundering. I hate to try to make a joke, it's not a joke, and it is just a great business. It is a tremendous boost. It is what everyone is talking about and we need to increase tourism. These people are doing it. They're doing it. They have come in with a great idea and it just doesn't seem like anything is happening to solve this problem. I call on everyone, if you know these owners of this place, and what I hear is that they are -- well we have also talked eminent domain for that too. But considering the temporary nature, it doesn't make any sense and the potential for objections by the time we get through might not work but that might be one possibility.

But my understanding is there might be an ownership connection with Duquesne Light and they're just giving us a hard time because of some of the past history with the Mayor and Duquesne Light. But I hope -- that's why I am putting this out to everybody. If you can talk to these people, talk to them. Because there doesn't appear to be any logic to their refusal to allow this temporary road. It just seems to be someone that's taking a position based on some kind of revenge motif rather than what is best for the region, what is best for everyone.

Mr. Ricciardi:

On a very serious note, Councilman Hertzberg definitely has our support or my support. And I am sure the first of all we should look into if there has been any public subsidies or URA funding to the particular complex in question.

Let me just say my daughter loves them and I thought it was going to be a

permanent fixture in the Southside. And we were very excited, because it adds to the excitement and to the flavor of urban living. I mean when it passes my house my four-year-old jumps up and down, she waives and the people waive back and the music is playing. I think it's great. Matter of fact, I thought it was going to be permanently into the Southside, hopefully that will not change.

But it just goes back to the serious level to this and that is basically we need to help young entrepreneurs. We need to help small businesses because they're paying taxes. I am sure when the Penguins were not paying their millions of dollars of amusement tax, I bet this touring entity, this organization, this business is paying their taxes. And Mr. Hertzberg is saying yes they're paying their taxes, they're offering good service, it's bringing a lot of people onto the tours. They stop, they're patronizing Southside businesses and my daughter is having a blast.

So anything we can do to save Ducky Tours I am definitely in big support. It might sound amusing at first, but there is a serious issue here that Mr. Hertzberg is raising.

The Chair:

Maybe they should ask for a TIF.

Mr. Cohen:

Thank you, Mr. President this is the first I heard of this problem, but I want to offer my assistance as a member of the Auditorium Authority. I do know the company quite well. A lot of friends of mine kids have birthday parties through Just Ducky Tours. They do a terrific job.

I know at least one of the owners. And not only are they young entrepreneurs in the City of Pittsburgh, but every trip they take and I think they take my guess is a dozen or so a day, but every trip they provide is for usually out of towners to see Pittsburgh often for the first time. So they are doing a service for the city and they really have become an asset for the city. I have taken the tour myself several times.

So I offer my assistance at least through the Auditorium Authority to see if there is something that can be done in the construction site area if at all possible. I don't know who the owner is of North Shore Commons One, but would certainly be happy to intervene to help this out. I thank Councilman Hertzberg for raising this issue.

Mr. Ferlo:

Just as a brief follow up. Obviously all of us are excited about Just Ducky Tours. Every time I have ever taken a tour on it, they love it, they love the city, they love the water. They love the history lesson that the folks take them on as they take the tour down Grant Street. But could we please ask that Mr. Leeper receive a communication formally from the president and report back to us ASAP. I think Mr. Leeper needs to resolve this and come to some quick accommodation appropriately for Just Ducky Tours, a great part of the city. We don't want to lose them, they can't just close up shop for a year during construction.

I don't understand why they can't make a temporary road at or near the construction site. We have that landing area on the other side of the Sixth Street Bridge further down from ALCOA. There

is a little marina there. I can't believe we can't find a way to get them at or near the Sixth Street Bridge landing where they used to leave from. So, it should be resolved. If it is not resolved, then you know we shouldn't be voting on other things until it is resolved.

Mr. Hertzberg:

Just final comments. These two people that own this are the nicest people in the world, because they have an agreement here. We agreed to provide them this access specifically and we're not providing it. We're providing them with something else which is inferior.

Mr. Cohen:

Could you provide a copy of that to Council members, please?

Mr. Hertzberg:

Sure, it is attached to my letter to Steve Leeper dated April 21.

The Chair:

There was an accident using this equipment yesterday. I don't know if you saw the news yet. A couple of kids drowned. I don't want to -- so we want to make sure I believe they have already said they're safe and all that. You want to make sure that they all have the proper docking and exit and entering that is needed. I was curious once you get on; you don't put a vest on.

Mr. Cohen:

I hate to speak out of turn. If I recall, you don't put a vest on but they point out there is a vest right overhead

there. These are souped up World War II amphibious vehicles. I am sure they have to pass inspection.

Mr. Hertzberg:

Let me just -- to clarify. I don't think it came clearly what you're talking about. That is there was a, I believe, it was one of these boats down south in Arkansas or Alabama that sunk. And it sunk very quickly, same type of boat. But I have spoken with the owners earlier today and they were inspected within the last two weeks and in fact as a result of that, they were being inspected again today by I believe the Coast Guard, I believe who inspects them. They have assured me they inspect every day these boats that takes them over an hour everyday before they run them to conduct the inspection.

The Chair:

I am trying -- I believe they said that on TV so we will try to support them. Again, make sure they're safe and I am sure they are. But again, make sure they have the right docking so we don't cause a problem, or unnecessary concern.

Mr. Diven:

Just two housekeeping announcements. One, I would like to mention that today I introduced a piece of legislation for any city employees that are members of the reserves or National Guard. We will be discussing it tomorrow, which will help to ease their fears regarding the health care benefits and the loss in pay if they're called up to active duty in regards to the Kosovo situation. We will be discussing that tomorrow. I did want to get that out there if anyone

from the city was watching that we will be taking that matter up in tomorrow's standing committee.

The Chair:

I want to commend you. I have had a few phone calls and I told them you were doing this because I think you mentioned it last week. So I think it sends a clear message to our employees that we certainly are supporting them and because they're doing their country's duty, they are certainly not going to be hurt by it.

Mr. Diven:

I think with all the things they have to think about when being called up to active duty, whether or not their health care benefits or whether or not they're going to actually default on their mortgage because they are not going to make the level of pay that they make with the city.

The Chair:

I was surprised I saw on the news that some of them are being called up for nine months.

Mr. Diven:

Second issue. This Saturday they will be having the Second Annual Police and Community Together picnic. It is going to be held in lots four and five of Three Rivers Stadium and it is going to go from 11 a.m. to 5 p.m. It is a free afternoon. There is going to be a lot of activities.

I want to remind Council we were supportive with \$15,000 for this picnic. If you get the opportunity to stop over, I am

sure there are a lot of people in the law enforcement community that would like to thank Council for their assistance and hopefully making this a continuing success in the City of Pittsburgh.

The Chair:

Can I follow up, is that just going to be in the parking lot, it is not going to be in Point State Park at all?

Mr. Diven:

There was some concerns with the getting the permits and this year they have -- last year they had a number of bands. This year they moved more towards a children emphasized picnic. They have got petting zoos and rides and a lot of the things that -- they couldn't get the permits in order for Point State Park. But they adapted and were able to secure two lots at Three Rivers Stadium. They're going to have that set up and there is going to be definitely a full day worth of activities for kids.

So if anyone is watching it would be a good afternoon to come down and see not only about law enforcement but have an afternoon that's going to be enjoyable. And get the opportunity to see some of the things that the law enforcement community have been working on and recognize the police officers who volunteer their time working with kids in the community.

The Chair:

It is open to the general public?

Mr. Diven:

Yes.

The Chair:

Any other discussion?

Hearing none, motion to adjourn.

MR. HERTZBERG moved to adjourn the meeting.

MR. ONORATO seconded the motion.

Which motion prevailed.

And on the motion made by Mr. Hertzberg, the meeting adjourned.

ADDENDUM

Mr. Udin's comments on Bill 1529 can be found in the Standing Committee Meeting minutes of April 28, 1999.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXIII

May 11, 1999

No. 19

Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLERCity Clerk
JOHN R. MASCIODeputy City Clerk

Pittsburgh, PA
Tuesday, May 11, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

All please rise for the pledge of allegiance and remain standing for a moment silent prayer for peace and hope throughout the world.

In your prayers we would like to remember Mr. Ralph Kraszewski's, widow who passed away, Saturday. She is the wife of Ralph Kraszewski our Public Works Director.

With us we have Mallory

Praskovich. She's nine years old in the fourth grade from Elizabeth Seton School. She is here with her father, Doug, and she lives in Alan Hertzberg's District.

Mallory Praskovich:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you. Her father Doug is a firefighter at Station 17. Thanks for all your hard work.

We have many special guests in the audience. I would like to bring one of mine up first sponsored by all Council members. We have Craig Patrick the General Manager of the Penguins.

PRESENTATIONS

We are very honored to have you, Craig, and I know in the papers maybe there is a lot of things outside of hockey but we're here today to talk about hockey.

I know Councilman Hertzberg's alluded at almost every meeting this is one of the hardest working teams and we never expected to get this far. And we expect to go a lot further right now and we are half way through the playoffs. We want to congratulate you and the whole team on bringing the spirit of the Penguins back

and on an outstanding season. And on behalf of all Council members and I think the whole audience, we have a big crowd today, we want to wish the Penguins the best. I will read the proclamation and I am sure Council members will have a few things to say besides asking for tickets.

Mr. Ferlo:

We no there are free tickets, they're very expensive.

MR. O'CONNOR AND ALL MEMBERS OF COUNCIL PRESENT:

No. 1594 WHEREAS, the Pittsburgh Penguins are legends in the game of hockey; and,

WHEREAS, the Pittsburgh Penguins have made history, proving themselves a leader within the Atlantic Division, Eastern Conference and the National Hockey League; and,

WHEREAS, the Pittsburgh Penguins are led by the National Hockey League's best management team of General Manager Craig Patrick and Head Coach Kevin Constantine; and,

WHEREAS, the Penguins have the world's #1 player in Jaromir Jagr and an impressive supporting cast which includes the following teammates:

Greg Andrusak
J-Sebastien Aubin
Mathew Barnaby
Tom Barrasso
Rob Brown
Sven Butenschon
Bobby Dollas
Maxim Galanov

Kevin Hatcher
Jan Hrdina
Victor Ignatjev
Darius Kasparaitis
Dan Kesa
Alexei Kovalev
Robert Lang
Kip Miller

Ian Moran
Aleskey Morozov
Peter Skudra
Jiri Slegr
Martin Sonnenberg
Martin Straka
German Titov
Brad Werenka
Tyler Wright; and,

WHEREAS, the 1999 season is the ninth straight year that the Pittsburgh Penguins have entered the Stanley Cup playoffs; and,

WHEREAS, the Pittsburgh Penguins are adding to Pittsburgh's rich sports tradition by competing for the Stanley Cup, having already defeated favored New Jersey in the first round of the playoffs; and,

WHEREAS, as a result of their success, the Pittsburgh Penguins have sold more than 14,000 tickets in the past five days; and,

WHEREAS, the Penguins take on Toronto in Game 3 of their Eastern Conference semifinal series tonight at the Civic Arena; and,

WHEREAS...We've Got To Keep The Penguins In Pittsburgh!

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate the Pittsburgh Penguins on their great success this season; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare May 11, 1999, "Let's Go Pens Day" in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

I know you have a busy schedule, you have practice that's why the players aren't here, but we are glad to have you.

Mr. Patrick:

I would just like to say thank you to the city and to all our fans for this proclamation. And more importantly I have been here for ten years now and I love the city. I love the people and we have had great support.

It's been tremendous to see the support we have had from the city especially in our trying times right now and the fans we have in the city. We are hoping we can show our appreciation by having a very successful play off run this spring and thank you again very, very much. It is great to be in this city, and part of the city. Thank you.

Mr. Cohen:

Good morning everyone. I have two proclamations this morning and both of them really celebrate diversity and celebrate something that we hold true and hold fast in this city and in this country and that is helping people with needs and celebrating that diversity.

Let's begin if we would with the Disability Awareness Month if we could have the students from Conroy Education Center come up please. I would like to ask that Councilman Sala Udin and Councilman Alan Hertzberg to join me for this proclamation.

Members of Council and members of the audience it's my privilege to introduce to you students from the Conroy Education Center who are here to help us celebrate Disability Awareness Month and Barrier Awareness Week. And we have the students Jason Johnson, Duane Frazer, Melissa Hutton, Samantha Garns, Gailand Brown, and Leonard Butler. Thank you all for being here.

We also have three members of the staff from the Conroy Education Center, Gloria Polick who is an art teacher there. You can raise your hand if you want, Gloria. Kathy Rahuba, did I say that right, and Donna Valasich who is from the Office of Equity Compliance and Community Relations. We also have a board member from the Three River Center for independent living, Barbara Starr. Barbara, thank you very much for being here.

Three River Center is so important to our community. And our own American's With Disabilities Act Coordinator, Theresa Limperski. Thank you very much for being here. That

having been said, let's get to the proclamation.

MR. COHEN PRESENTS:

No. 1596 WHEREAS, often we fail to recognize the extraordinary efforts made in the daily lives of our fellow Pittsburghers who are disabled; and

WHEREAS, from time to time, we need to be reminded of the extra effort it takes for a disabled person to carry on with his or her routine activities; and

WHEREAS, the Pittsburgh Board of Education has declared May as "Disability Awareness Month" in the Pittsburgh Public Schools; and

WHEREAS, the Pittsburgh Public Schools and the Three Rivers Center for Independent Living have formally collaborated and declared May 17 - 21, 1999 "National Barrier Awareness Week"; and

WHEREAS, students from one Pittsburgh Public School, Conroy Education Center, have created a poster with a disability theme entitled "Choices in the Patchwork of Life," which celebrates ability, diversity, inclusion and equal opportunity in the schools; and

WHEREAS, the City of Pittsburgh would like to join the collaborative effort of the Pittsburgh Public Schools and the Three Rivers Center for Independent Living in publicizing equal access for the disabled.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh declares the month of May

"Disability Awareness Month" and the week of May 17 - 21, 1999 "National Barrier Awareness Month" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Cohen:

I would like to present this proclamation to Donna Valasitch (phonetic) who as I said is with the staff of the Conroy Education Center. Then I would like to ask Councilman Sala Udin who represents the district where Conroy resides and also Councilman Alan Hertzberg who has been a real leader on this Council for disability issues to both speak as well. Donna, congratulations.

Ms. Valasitch:

Good morning, everyone. On behalf of the Pittsburgh Public Schools I would like to thank you for this proclamation and also thank our students. We have six of our students who participated in creating the poster that we are extremely proud of and also thank Theresa and Barbara and Kathy for their help and their assistance. And with your permission Councilman, what we have is we would like to present each of the Council members today with your very own poster so you can hang with pride hopefully in your offices. Thank you again very much.

Mr. Udin:

Thank you. Welcome to Council, Conroy. Also I want to make colleagues and the city aware that I have the honor of serving on a Disability 2000 Committee and have been working with a number of groups. Councilman Alan Hertzberg has been providing a great deal of leadership in this area. And I have had the honor to be asked to head up the group that will focus on community and neighborhood issues that remove barriers in community activity and neighborhood activity for people with disabilities. There is a lot of work that we do in communities and neighborhoods that we kind of take for granted. But there are a lot of people with disabilities who are prevented from fully participating in those community and neighborhood activities just because of the lack of awareness that this kind of month helps bring to our attention.

So thank you very much to the Board of Education and all of those involved in Disability Awareness Month as well as Barrier Removal Week. They're all very important in helping all Pittsburghers to fully take part in the full lack that Pittsburgh has to offer. And thank you very much for coming down to City Council.

Mr. Hertzberg:

Congratulations. That's a beautiful poster and thank you for letting each of us have one.

I have been involved in Barrier Awareness Week over the past five or six years. It is good that the public is made aware of the different barriers that there are people with disabilities. Barriers like the large door in Council Chamber, barriers like stairs we're there is no

elevator, barriers like curbs where there aren't curb cuts. But I think probably even more important barriers is the attitudes of people that they're just unaware of what people with disabilities go through and how they're sometimes treated by others. And that's why I think it is so important that Pittsburgh Public Schools gets involved when people are at the age where they are of being educated. They can learn about all these things and be much more involved and understanding of the problems that people with disabilities have and then we won't have that attitudinal barrier in the future.

So I appreciate Pittsburgh Public Schools involvement in this and I thank Conroy for the beautiful poster. And hopefully this will be another successful Barrier Awareness Week and the involvement of the schools will make things that much better. So good luck, thank you.

Mr. Cohen:

This poster is really a beautiful poster. I want to thank the kids for doing it. If you get the chance, please come up and look at the bigger version which has all the pictures of the students around there. I want to thank the students very much for coming in and for doing this. It's really a good way to kick off a very important month and a very important week here in the City of Pittsburgh, and one as I said that really promotes diversity and make sure that we're all sensitive to each others abilities and each others needs. Let's get a picture.

Mr. Ferlo:

I wanted to first of all thank the

Pittsburgh Public Schools for the leadership and thank all the young people. This is truly a piece of artwork this beautiful poster. But we all take mobility for granted as Councilman Hertzberg spoke about it.

I had an experience just this past month I held a conference here at Council Chambers with 12 or 13 cities around the country. And unfortunately the conference ended at about five o'clock, which I left the building. But some of the delegates from other cities remained including one individual who was in a wheel chair. Only to learn unfortunately after the fact and after I had already left the building that the guards double lock the back door with chains so in effect somebody who is in a wheelchair cannot exit the building. We took that for granted.

I didn't think about it, I am just using that as an example, that all too often we take mobility for granted. I would like to be supportive in any way to Councilman Udin and Councilman Hertzberg on the issue of making the communities at large understand some of these issues and how we can better allow everyone in this society to participate in all aspects of the community. So I think we all need to collectively be involved in trying to highlight things that we can do from an advocacy point of view to change both physical barriers as well as Councilman Hertzberg spoke about eloquently mental barriers to the issue. So thank you very much.

Mr. Cohen:

Thank you very much.

We have the folks from the

Pennsylvania Naturalization Assistance Program next please. In the same vein of promoting the diversity, that includes promoting international diversity. I got a call at my home a couple of months ago from Phyllis Popper who told me about a program that she's involved in. A project that she is involved in called the Pennsylvania Naturalization Assistance Project and it is being run by the Jewish Family and Children Service that does so many great deeds for our community for the general community. And I was so excited about the project, I said come on down and let's give a proclamation for it.

The Pennsylvania Naturalization Assistance Program is really a citizenship preparation program. There are so many things that they do and when you think about it, when you first come to the United States and to Pittsburgh there are a lot of things that are very confusing of course and a lot of assistance that is needed. So they do ongoing citizenship classes, citizenship training workshops, all the preparation that is necessary to actually become an American Citizen. But well beyond that, I think there maybe two programs involved here. But beyond that they help with the medical system, with the legal system, with housing, even to encounter the great American institution of the grocery store and all the choices that we have here in the United States that don't exist in other countries. So that kind of assistance is so necessary and this program is doing just that.

And Council President Bob O'Connor and I are sponsoring this resolution that goes as follows.

**MR. COHEN AND MR. O'CONNOR
PRESENT:**

No. 1595 WHEREAS, Jewish Family & Children's Service is a non-profit social service agency committed to strengthening families and supporting individuals in need within our community; and

WHEREAS, providing help with the resettling of refugees is but one of the many services provided by the Jewish Family & Children's Service; and

WHEREAS, Jewish Family & Children's Services is under contract with the Pennsylvania Department of Welfare to run PANAP, the Pennsylvania Naturalization Assistance Program; and

WHEREAS, PANAP provides a citizenship preparation program which provides ongoing citizenship classes conducted by trained volunteers, one-day citizenship training workshops, assistance with citizenship applications, practice for the INS interview, study materials, and when necessary, legal assistance; and

WHEREAS, to qualify for U.S. citizenship, an emigré must be at least 18 years old, be a Legal Permanent Resident (have a green card) for five or more years, have good moral character, and possess a basic command of the English language and U.S. history and government; and

WHEREAS, PANAP originally targeted only those emigres who were both eligible to apply for citizenship and were at risk if they did not become citizens; and

WHEREAS, PANAP has entered its second phase and is expanded to include all refugees or immigrants who

have had green cards for four or more years, regardless of risk; and

WHEREAS, all Legal Permanent Residents, and those who wish to volunteer in the PANAP program, are urged to call the Jewish Family & Children's Service at 422-5627 to learn more about the program.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh declares the month of May "Become A United States Citizen" month in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you very much. And let me tell you who we have here today. Linda Ehrenrich who is Director of the Career Development Center, which by the way has been certainly assisted by this Council over the years and does a terrific job. Charlotte Zabusky who is the Supervisor at the Refugee and Immigration Service Center. And actually Charlotte and I were together on a trip that we made to the Soviet Union back in 1989 to meet with refugees who were not being allowed out of the country. Nice to see Charlotte back here. Phyllis Popper who I have already mentioned who is the Coordinator of Citizen Out Reach for the program. Kathy Hurwitz who is the Vocational Resettlement Counselor at JF and CS, hi Kathy. Yuri Kobets, I hope I pronounce

this right who is the Translator and Case Aid Worker, Alice Vernon, Executive Secretary and Office Manager, Lorretta Reed who is a volunteer teacher, Tatyana Reznik who is a PANAP participant and recently passed the INS interview. Congratulations. We just added to the list Evsey Manuskin. Thank you very much for being here. And also Laurie Gottlieb who does a great job as the Marketing Director of JF and CS and all of that. I hope we didn't miss any one.

Let me present this proclamation to the boss who is the director over at JF and CS, Linda Ehrenrich. Congratulations.

Ms. Erinike:

Thank you, Dan, and thank you, Bob, and thank you, City Council. We really appreciate this proclamation and the attention that you are giving to this really important issue here at City Council.

We know that people are in the City of Pittsburgh and in Allegheny County, there are people and immigrants and refugees that could benefit from this really wonderful program.

By the way the INS interview is not an easy one to pass for those who have ever seen the questions many of us who were born and raised here probably couldn't pass it without some studying. So it is not so easy to get passed through this program.

We're really proud to play a part in Pittsburgh's long tradition as a city of rich cultural and ethnic diversity. And right now what I would like to do is introduce our speaker who is a recent graduate of or PANAP program and a recent citizen as

well as her teacher. The speaker is Prima Reytynbarg and the teacher is Donna Reed. Thank you. Sorry, Lorretta Reed who is our volunteer teacher.

Ms. Reytynbarg:

Councilman Cohen, Councilman O'Connor and members of the City Council. Recently I went through the naturalization interview and passed. I was able to answer all the questions on United States history and government. To become prepared I enrolled in the PANAP, the Pennsylvania Naturalization Assistance Program. I was included in the advanced class of the naturalization students taught by volunteer Mrs. Lorretta Reed.

Pennsylvania Naturalization Assistance Program really helped me to do my best. It's concise contents is targeted exactly on the interview questions and the method of the interview. Our instructor, Mrs. Reed, showed a lot of care and attention.

All the students, Asian, South American, and European studied diligently and successfully. When my husband and I first heard about the program, PANAP sounded as if it were the growing musical chord of our more than five years of cultural education in which we were assisted by the government and Jewish organizations. We have been supported and assisted all the time. We are thankful.

I understand that you, Councilman Cohen and Councilman O'Connor and the members of the City Council, have agreed to support this program by declaring the month of May the Common American Citizen Month. I would like to express my

gratitude to all of you. Thank you.

The Chair:

I just want to congratulate Linda and thank you. It is amazing all the things that the Jewish Family Children Service does for our whole community and again the teachers did a pretty good job too. Thank you.

Mr. Ferlo:

Mr. President, I have the pleasure of having three delegations here today. Since some of the delegation involves some younger kids who may have to get back to school, I am going to ask that they go first. I would ask if Myrna Antonio-Hall is here and others from the Tree Commission involved with the Arbor Day Contest if you could come forward.

The Arbor Day Poster Contest we have Myrna Antonio-Hall here, from Partners in the Parks, also she is a member of the Pittsburgh Shade Tree Commission. And we have a group of wonderful students from the public schools and the parochial schools and I think the catholic schools who were involved in a poster contest for Arbor Day. So we need to get them up here. We have some additional beautiful posters here today. We are going to lineup right here.

This activity has been going on for sometime in the Pittsburgh Public School system and the other schools that have been participating. I would hope that it is the beginning of a long process of activities that the Shade Tree Commission will hopefully be involved in the future and will also help to promote and to support.

But before I read the names and introduce some of the young people that are here, and maybe Myrna would like to say a few words.

MR. FERLO AND ALL MEMBERS OF COUNCIL PRESENT:

No. 1597 WHEREAS, Arbor Day commemorates the environmental and aesthetic importance of trees and encourages people to plant and care for trees; and

WHEREAS, Partners in Parks, the joint venture between the City of Pittsburgh's Department of Parks and Recreation and the United Way of Allegheny County, was the sponsor of the 1999 Arbor Day Poster Contest, a part of the city-wide Arbor Day celebration on Friday, April 30th; and

WHEREAS, the Poster Contest was open to all students in the City of Pittsburgh and required the entrants to submit a poster promoting and visually explaining the meaning of Arbor Day and how it is celebrated both in Pittsburgh and state-wide; and

WHEREAS, the winning poster in the 1999 Arbor Day Poster Contest was designed by Jennifer Cobb of Arsenal Middle School, with Crystal Maier, also of Arsenal Middle School, coming in Second Place, Stefan Wiedenhofer of Elizabeth Seton School Third Place, and Fourth Place went to David Buczynski & Dominic Ceraso of St. Mary of the Mount, Fifth Place to Ricky Lowe & Jason Walter who submitted their poster through the West Penn Recreation Center, Sixth Place to Holly Ware of St. Mary of the Mount, Seventh Place to Branden Astori of

Arsenal Middle School, Eighth Place to Alex Wiedenhofer of Elizabeth Seton School and Ninth Place to Vickery Lauro also of Elizabeth Seton School; and

WHEREAS, the winning posters were displayed in the City-County Building Lobby and the First Place winning poster has been designated as the official 1999 Arbor Day Poster used to promote the city's Arbor Day Celebration;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Pittsburgh does wish to commend and congratulate all of the poster designers for their winning posters, hard work, artistic abilities and dedication to the City of Pittsburgh's tree population; and

BE IT FURTHER RESOLVED, that the City Council of Pittsburgh also wishes to recognize the efforts of Partners in Parks, and Myrna Antonio-Hall in particular, for organizing the 1999 Arbor Day Poster Contest and for their never-ending commitment to improving the City of Pittsburgh through celebrating and promoting the natural and magisterial splendor of one of our greatest resources, our trees.

MR. FERLO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Magisterial splendor, excuse me. Yarone through in a fancy word in there for me. We have some great young people

as you can see to my left here and we have a proclamation for each one of them. Before we introduce some of the students, maybe Myrna can come up and say a few words about Partners in the Parks and this great contest? And we would like to introduce some of the young people that are here. Let them show you their poster. I don't know if there are any parents here, you are welcome to come up afterwards for a picture if we have any proud parents out there. We also have a first prize winner gets a special Just Ducky Tours ticket if they're just working still, I don't know.

Ms. Antonio-Hall:

Thanks, Councilman Ferlo and thank you to City Council. Partners in Parks is very excited about participating in Arbor Day this year. We look forward to making it grow in years to come, but we can't do it without the support of City Council and of course the administration within the Parks Department and the administration in the Mayor's Office. I want to thank everyone for your help; we can't do it alone. Thank you.

Mr. Ferlo:

As I indicated earlier I read all the names. As you can see we have some very creative and beautiful posters. The public is only made recently aware the City of Pittsburgh with the support of Mayor Murphy and his administration has reconvened the Shade Tree Commission formerly adopting it as an important part of city government. We are very concerned that we have a more organized approach in this city reaching out to the philanthropic community, to the community at large and that we begin to

replenish the tree population in the City of Pittsburgh.

This poster contest is not only about Arbor Day, it is about involving young people in the life of our community and an important issue our environment and the quality of life in the City of Pittsburgh. So we want to thank all of our colleagues. I want to thank all of these young students for their great time and talent expressed visually here today. We actually have a first prize, Myrna has recruited Just Ducky Tours a family of four ticket, but so we don't want to slight anybody, we're going to make sure that all the winners today get a ticket for four. We will make arrangements for that. I am sure Just Ducky will help us out. And we're going to present the First Place Winner Jennifer Cobb, Jennifer are you here. Thank you Jennifer. Good morning.

Jennifer Cobb:

My poster is stressing the importance of Arbor Day in Pittsburgh. Trees give a lot to everyone in the world. And it is just showing how trees help us and its telling us that even though you see them every where, basically they are one of the most important things that you can give thanks for other than water and other natural things on earth.

Mr. Ferlo:

Thank you. Thank you, Jennifer is 13 and she is in the eighth grade. Any of the other students want to say anything today? We want to thank you again for your great work and we want to make sure all of you get a pass for four for the Just Ducky Tours. We want to thank Just Ducky Tours for their donation today.

Hopefully with Councilman Hertzberg and the Mayor helping out, we will find the right place for them to get in and out of the water because they have been having some problems because of the construction at Three Rivers.

I don't know if any of the parents, if any of you kids have any parents here today, you're welcome to come up. We are going to get a group shot. If you have cameras one of my colleagues will gladly take your camera and take a picture so you can be in it with your child if you would like to. Yarone will take a picture and I am sure Councilman Hertzberg will help out.

The Chair:

Thank you. Good job.

Mr. Ferlo:

Councilman Ricciardi unfortunately had another appointment, he will be back here shortly. But he has a wonderful delegation here from our senior centers and other organizations throughout the City's neighborhoods. Mary Esther VanShura is here, one of our Deputy Directors in Parks who works day in and day out with our senior centers and we would like the delegation to come forward. And this has to do with the international year of older persons. There also maybe some other folks here that I don't know their names and we can introduce everyone. But as you can see from the delegation coming forward, we have a great group of older individuals in the City of Pittsburgh. Some of them are very active at our senior centers. I guess we should change that to our older person centers around the city. They were nice

enough to come down here to Council chambers today and we welcome them. Good morning, Mr. Leeper.

We have quite a distinguished group here and a rather large group. You can encircle Councilman O'Connor, President O'Connor, that is no problem. Some how we will fit everyone in. This proclamation is initiated by Councilman Ricciardi at the request of Mary Esther VanShura. All colleagues have joined in co-sponsoring this resolution and maybe we can get them all up here for a group photo.

MR. RICCIARDI AND ALL COUNCIL MEMBERS PRESENT:

No. 1598 WHEREAS, the United Nations has designated the year 1999 as the "International Year of Older Persons" with the theme "Toward a society for all ages"; and

WHEREAS, the month of May 1999 has been declared Older Americans Month with the week of May 9-15, 1999 being designated as National Senior Center Week; and

WHEREAS, Citiparks has served the interests of senior consumers since 1957 and over 20,000 seniors have received services. Census data indicates that there are now 86,000 seniors in the city who can reap the many benefits of the SeniorInterests Program; and

WHEREAS, the multi-purpose mission of SeniorInterests is to address the intellectual, physical, social and financial interests of seniors; and

WHEREAS, over 200,000 meals are served in our centers keeping older Pittsburghers healthy and socially involved; and

WHEREAS, SeniorInterests is committed to "reaching out" in a door-knocking campaign to the homes of seniors currently not receiving services.

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby honors the SeniorInterests Program, its participants, and all seniors in the City of Pittsburgh and encourages all residents to become involved with the SeniorInterests Program.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares May 11, 1999 as SeniorInterests Day in the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Obviously the proclamation speaks for itself. I think it's great the United Nations has declared this year the international year of older persons. Obviously if we look at the health and well being of older individuals throughout the world, it is not equal and similar to the quality of life that we have here in the United States. I hope we continue to appreciate that and focus in on progressive changes that need to be made worldwide.

But at this country and in this

country and at this level I think all of us have an obligation to be involved. The city can't do everything. Individual families need to take more responsibility for their own family members. It can't always be presumed that some institution down the street is going to be responsible. So let this also be a rekindling of social commitment on the part of individuals with family members either within their own nuclear family or those across the street or living upstairs in an apartment. Let's everybody reach out and involve all quality of life and reach out to everyone to be involved in all that America has to offer.

I hope also that this can be a year also for the Senior Interest Program. I am very pleased and I think it is a great honor to have the park staff initiating this program of door knocking. Going out because often time our centers service the most mobile seniors or those who are most socially active or even physically active. Often times it is the others back in the community that don't get out.

I want to thank the staff of the Parks and Recreation Department for this very unique initiative of canvassing and getting out and going door to door. I believe some of the older folks themselves are helping with that process. We need to be involved. We hear too often tragedies about individuals who die unfortunately tragically at home alone where the neighbor next door maybe hasn't seen the individual for three or four days, there is not a family member. We read about it in the morning paper. We get upset, we cry a little but we don't change our habits.

So let this also be a call to action to be more involved. I just want to thank

Mary Esther and the great staff in Parks and Recreation for their leadership initiative. Also I would ask that all of you have some very powerful influences being older individuals. I have commented in the past that the reason we put more resources into older individuals and have more senior centers as opposed to youth centers is because you vote. Let's be honest, you politically can be influential. And I would ask that all of you be involved not only locally whether it be Council or the Mayor or Local District Justice, but there are things that are happening at the congressional presidential level that affect your quality of life.

I think its just reprehensible when we start talking about any changes of social security system that are going to mean deflating or reducing your living income. I hope you will be active, you will be vocal and you will be militant about that so I would ask that you rekindle the advocacy Council. If you need our financial support from Council please let us know but don't be quiet, you haven't been quiet all your years don't be quiet now because it can have an adverse affect on your life. So be vocal, be active, and be involved. Mary Esther now that I am done with my speech making, we are going to get you up here.

Ms. VanShura:

Thank you Councilman, and members of Council. They say when you honor the hands that mold America, you honor what American means. And today is exactly what we're doing. But more importantly too often we hear the words of Hubert Humphrey talking about people in the twilight of their life.

I would submit to you today the folks that stand with us today are indeed not in the twilight, they are in the dawn of their life. And it is your energies that allow us to come here today. We also have a busload leaving tomorrow morning at 5:30 to go once again to Harrisburg to be strong advocates for the needs of the seniors. So any of you that are up at 5:30, we would be happy to have you come down and send us off, bring doughnuts. But also, we would like to point out today this is so unique because of your support and support of the leadership of Mayor Murphy for the very first time this year we have a senior interest van that is handicap accessible. I am delighted that Peg Fageoli (phonetic) from Mount Washington could join us today. She told me today, she said Mary Esther I have not been in this building for 40 years.

Also, I would like to turn this over now to Bea Howard, our leader from Homewood would like to talk a little bit about the senior interest program.

Ms. Howard:

Good morning. It seems like everyone took my speech but I still would like to say I am Bertha Howard from the Homewood Senior Citizens Center. And we're just excited about our new renovations and expansion of our building. And because of that I was one of the people that went out for out reach because everyone in Homewood should know about that center and everyone that could come should be right there. There should not be anybody at home and we try to see to that.

Also I am proud of our center because we're trying to close the generation gap. We work with the Rogers

School. We also work with the Region Square School and every word that they learn we learn. We send them a letter relating to that word. So we're really close and we're trying to close the generation gap. Because I think the seniors have a lot to offer the young people and the young people have a lot to offer the seniors. Thank you.

Ms. Provilin:

Good morning my name is Catherine Provilin and I am with the Hazelwood Senior Centers. And to me it's an education and a pleasure to belong to the center. The people that you make and the languages that you can learn you won't believe it. And you get invited to be in programs with Roger School of Art. It is wonderful. You wouldn't believe the talent that is in that class of children, well I guess teenagers. And it is wonderful to be included with them and to me it is a pleasure to be in the center in Hazelwood. You meet so many people and you learn so many languages that pretty soon you can start a school of your own. Thank you.

Ms. Haddock:

Hi when you say seniors don't say old, because we are far from being old. We do so much. We have our tennis lessons at Schenley Park, we have our walkings, we have our Bocci's and we also have our hockey. So we keep the hockey here in Pittsburgh just come to the senior group because I got a gold in hockey last year. I will volunteer as I usually do.

We do have a lot of things at our senior centers. We do not sit. And we also are conscience of the people with disabilities. We just got new vans which

we came in with today, which is really nice. So Peggy could be here today.

We have the walking, we have the bicycles, and we just do everything that everybody else has done. And thank you and I am glad to belong. My name is Phyllis Haddock.

Ms. VanShura:

On behalf of all the seniors and the staff of the Department of Parks, Director Ashley, I would like to thank you for this recognition today. Thank you so much.

We also will be distributing our new brochures that we have developed for each of the seniors that come to us, it should be very helpful to all the members of Council as well.

Mr. Ferlo:

Thank you. We would like to ask our colleagues to all join up here, it is going to be a difficult photo but we can get everyone up here. We have older individuals here from all of our neighborhoods throughout the city and you are all invited to my party Friday night, 8:00. I know Lawrenceville is coming. Our friends from Hazelwood also want to say you can take computer lessons also. They have computers.

Thank you for your patience to the bike helmet coalition. Thank you for your patience this morning. When you have little kids we try to get them back to the school system and the seniors have another date at 11:30 so my apologies.

I would like to ask the representatives from the Pittsburgh Bike

Helmet Promotion Coalition to come forward. Terry Rae Anthony and the others and we will introduce everyone from the different agencies who are supportive of the coalition. Many in the public have heard me preach often times about the need for bike safety helmets specifically the need for parents and young people and others who ride bikes to wear a bike helmet, an approved ANSI or Snell approved bike helmet. It is very important obviously in terms of the safety of the child and the young person or even adult riding a bike or skates. But has also been the law for the last several years in Pennsylvania and we have been involved with the leadership and help of this Council in promoting this campaign in the past.

We have given out a significant number of bike helmets over the last three or four years. But more importantly now there is a much broader coalition that has a lot more talent and resources to bring an education advocacy campaign throughout the greater Pittsburgh area. So I am pleased to have Council and our own COP officers and our Fire Bureau and others be a part of it. I would like to read the following proclamation, which I will present to Terry Rae.

MR. FERLO AND ALL COUNCIL MEMBERS PRESENT:

No. 1599 WHEREAS, each year in the United States an estimated 900 bicyclists are killed and approximately 181,000 seek treatment in emergency rooms for bicycle related injuries; and

WHEREAS, head injury is the most common cause of death and serious disability in bicycle crashes; and

WHEREAS, bicycle helmets reduce the risk of head injuries by 88%; and

WHEREAS, universal use of helmets by all cyclists in the United States between 1984 and 1988 could have prevented one death daily and one head injury every four minutes; and

WHEREAS, less than 20% of youth bicyclists wear helmets in the City of Pittsburgh; and

WHEREAS, Pennsylvania is one of many states throughout the US that have adopted a mandatory bicycle helmet law because of the effectiveness of helmets in reducing injuries; and

WHEREAS, injury prevention advocates are helping to raise public awareness of head injury and the need for all bicycle riders to wear helmets; and

WHEREAS, part of the advocacy effort has been to develop and promote bicycle rodeos within the city to instruct the young about bicycle safety and actively involve children in bicycle safety competitions; and

WHEREAS, in 1999 bicycle rodeos have been organized by the Pittsburgh Bicycle Helmet Promotion Coalition in conjunction with Pittsburgh's Citiparks at Allegheny Middle School on May 15, at Magee Recreation Center on June 26, at Arlington Recreation Center on July 17, West Penn Rec Center on September 18 and with the cooperation of the Carrick Block Watch on June 5 and with the Stanton Heights Community

Organization on August 21 at Sunnyside Elementary School;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Pittsburgh does hereby proclaim the Summer of 1999 to be "Safe Bike Summer" in the City of Pittsburgh and encourages all bicycle riders to wear helmets each and every time they ride a bicycle.

MR. UDIN moved to adopt the resolution.

MR. DIVEN seconded the motion.

Which motion prevailed.

Mr. Ferlo:

We have some of the delegates here from the Coalition. Terry Rae Anthony is the Coordinator and Administrator of the coalition and we have others here today. We have Laura Wysocki from Gateway Health Plan, this organization has been very supportive financially and in more ways than one with this initiative as well the Allegheny County Health Department Rosemary Prostko, Patti Jo Evans from the Center for Violence and Injury Control, Deborah Friedman from the Center for Violence and Injury Control, Twyla Simmons is also from the center. This organization has been in the leadership on even broader issues involving injury prevention. So we want to thank these folks for being down here today. I apologize if I left anyone out I am not sure if I did.

The coalition has been very active and there is a whole bunch of different programs and initiatives that will be planned in addition to the bike rodeo. I

wanted to ask Terry Rae Anthony just to say a few words, please at this time.

Ms. Anthony:

I would like to thank Councilman Ferlo and City Council for this proclamation and for your continued support to help keep the children of Pittsburgh safe while biking. Our main mission is to educate parents and children on the importance of wearing a properly fitted helmet every time they ride their bike. Thank you.

Mr. Ferlo:

Our injury control folks here brought some helmets. You see one helmet here and here are two other beautiful helmets. I mean helmets can also look cool too and maybe you can convince the kids about that.

We don't have any trauma surgeons here today or folks from the emergency room, we have had them here in the past. But we would just like to try to alarm and educate and do whatever we have to do to parents in particular or grandparents when you buy a bicycle and you spend 110 bucks buying a Huffy at Kmart or where ever you get it, please spend an extra ten or \$15 and buy a bike helmet. Do not presume that the child has the helmet. If you are going to be nice enough to buy a bike, take the extra time and effort and buy a bike helmet. It's not only the law, but you would be working in helping to educate the child and the family about the need for bike safety helmet.

As we go throughout the city unfortunately we still see many young people not wearing their helmets despite

the fact that it is a law. So we will be working not only through the rodeos but other programs that we have planned. I want to thank the coalition for their fundraising and coordinating this campaign. They will be reissuing a poster that was designed a few years ago with several sports players from the Pirates and the Steelers and other sports organizations with their respective helmets on. These will be distributed throughout the community especially some restaurants hoping for some financial support from a major restaurant locally. I am sure Terry Rae will be back in the future to announce that campaign. But it is very important that we also get the support.

We are working with the COP officers in the City of Pittsburgh and the Fire Bureau we have approached them we wanted to ask our COP officers to do out reach. They interact with young people throughout the day in the park system and the like. And we what them to stop kids, let them know it is a \$25 citation if you don't have your helmet on. But we are also looking for some rewards from McDonald's and others to reward young people that the officers stop that do have the helmets on. So we have a lot of different ideas and things planned.

As far as fundraising, I spoke with Councilman Diven and we're looking to maybe raffle off a Harley Davidson with all the money being donated to the coalition. And Councilman Diven has been nice enough to help co-chair that campaign which you should be hearing about because we may even have to bring the Harley in here to promote it. Maybe I will get John Cigna to ride it in from KDKA.

I want to thank all of you for being here. We look forward to the bike rodeos the rodeos are in several colleagues' districts. I am sure they can be helpful with outreach and be there that day and maybe help some of the kids with helmet wearing.

So with that we need a group photo here.

The Chair:

Will the members of the WIC Organization please come up? We have Chuck Vukatic is the Assistant Deputy Director and his staff. This is a very, very important project and I have been personally involved with it and it is amazing how many people you help. And it is accredited to your organization.

Again, I want to thank you on behalf of all Pittsburghers and Allegheny County and again the amount of families you help is a tremendous asset.

MR. O'CONNOR PRESENTS:

No. 1600 WHEREAS, the Congress of the United States established the Women, Infants and Children Supplemental Food Program, popularly known as the WIC Program, a quarter of a century ago; and,

WHEREAS, Allegheny County served as one of the test sites for the WIC national demonstration project in 1974; and,

WHEREAS, the WIC Program is administered by the Allegheny County Health Department and promotes healthy child growth and development through nutrition education and by providing free

nutritious foods to income-eligible and medically or nutritionally at-risk families; and,

WHEREAS, studies show that WIC encourages early prenatal care; improves weight gain during pregnancy; increases birth weight; decreases premature delivery; increases the rate and duration of breast feeding; reduces iron deficiency anemia in children; and enhances physical growth and cognitive development; and,

WHEREAS, WIC is not just for low-income families on public assistance but has income limits which are high enough to make many working families struggling to get by on modest incomes eligible for benefits, as demonstrated by the fact that one out of every four families in Allegheny County is employed and receives no public assistance; and,

WHEREAS, WIC has had an enormous impact in the City of Pittsburgh, providing food benefits worth about \$75 million to an estimated 285,000 residents since the program's inception a quarter of a century ago; and,

WHEREAS, WIC in Allegheny County has grown from a pilot project with a caseload of 11,000 in 1974, to a long-established program which now serves nearly 20,000 women and children, almost half of whom reside in the City of Pittsburgh.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the important and necessary role that the WIC Program has made towards the well-being

of all women, children and families throughout the United States; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare May 1999, "WIC Month" in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Santel:

I will start with myself, Gary Santel. I am a Public Health Nutrition Administrator with the WIC program of 11 years. Pat Waag is also with us. She is a Public Health Nutrition Administrator with the WIC program. Kathy White a Public Health Nutrition Supervisor with the WIC Program. Barbara Curlee, who is also Administrator with our program, and Chuck Vukotich Assistant Deputy Director of the Allegheny County Health Department.

And Chuck has some presentations after I am done with thanking Councilman O'Connor and the rest of City Council for this special proclamation given to our program. 25 years of the WIC Program, wow. For our program to remain in effect and get funding for that many years is truly incredible.

Allegheny County as was noticed in the proclamation itself was actually the second grant that was awarded on the WIC Program. The Allegheny County Health Department being given that grant. Our first director of the program, Dorothy Cuogner (phonetic), was very instrumental

in getting that grant here in Allegheny County. It was also very instrumental in the national movement to get the WIC Program approved as a national program.

Right now the WIC program is servicing participants in all 50 states and all the territories and also 33 Indian tribal organizations. Locally here in Allegheny County we service a little over 19,000 participants in the WIC Program and last year alone those participants spent \$10.6 million in 83 WIC authorizing grocery stores in Allegheny County.

A little known fact about the WIC Program is that we also issue the checks that are given out for the farmers market nutrition program. We do administer that program for the Department of Agriculture. Last year we issued benefits to 8,000 and 62 participants in Allegheny County who in turn spent over \$90,000 at the local farmer markets buying fresh fruits and vegetables that were locally grown here in Pennsylvania.

Once again, I would like to thank Council and Councilman O'Connor, Chuck has some presentations to make to you.

Mr. Vukotich:

I want to make this quick. I have got two items for members of Council.

The Postal Service has honored Bugs Bunny and all these other people didn't see fit to honor the WIC Program 25th Anniversary with a stamp. But they did honor us with a special cancellation its available down here at the Grant Street Post Office and this is an original art graphic of the cancellation's design, and these are all cancelled for the 25th

Anniversary of WIC. I have one of these for everyone on City Council.

Also we have this is the important one. We have Rolodex cards for the WIC Program so if you have any constituents who need a referral to WIC this is the telephone number and address you can send them on. We are down here, downtown although we have clinics all over the community; our main office is downtown here. So this will help you get in touch with the WIC Program.

So thank you very much and we will present the first one to the President here and the first card and I have one for everyone. Thank you.

The Chair:

We have some to be read into the record.

MR. HERTZBERG PRESENTS:

No. 1601 WHEREAS, The International Geneva Association, Pittsburgh Branch has named Mr. Louis Bucci RESTAURATEUR OF THE YEAR 1999; and

WHEREAS, Mr. Bucci is the owner of the London Grille Restaurant in the Mt. Lebanon Galleria and the newly restored Temperanceville Tavern in the West End neighborhood of the City of Pittsburgh, and he was elected President of the 500 member Western Pennsylvania Chapter of the National Restaurant Association; and

WHEREAS, Mr. Bucci has played a leading role in the restaurant business for more than 20 years; starting as a teenager

working at menial tasks as a janitor, dishwasher, bus boy, and waiter in the Pittsburgh area; and

WHEREAS, after studying journalism at Duquesne University and a tour of duty with the US Army as a paratrooper, he went to Colorado where he worked his way from doorman to assistant to the President for one of the nation's first bar and restaurant chains; from there he went on to hold senior executive positions in three other restaurant chains and became the owner of five-star restaurants in Colorado and California; and

WHEREAS, Mr. Bucci is known as a dynamic leader and excellent communicator who understands issues facing the restaurant industry and meets them head on with passion and vision; and

WHEREAS, Mr. Bucci is especially committed to programs and policies that encourage, train and mentor young people entering the restaurant industry and to changing the idea that working in a restaurant means "flipping hamburgers" by developing a comprehensive program designed to educate young people about the restaurant business and provide training and jobs at the management level.

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates Mr. Lou Bucci upon receiving this prestigious award; and

BE IT FURTHER RESOLVED, that Sunday, May 16, 1999 be declared "LOU BUCCI DAY" in the City of Pittsburgh.

MR. FERLO moved to adopt the

resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

MR. O'CONNOR AND ALL MEMBERS OF COUNCIL PRESENT:

No. 1602 WHEREAS, the future of Israel is in high technology and the future of high technology in Israel is at the Technion; and,

WHEREAS, the Technion has maintained its pioneering research in biotechnology, aerospace engineering and information technology in its continuing effort to secure Israel's economic future; and,

WHEREAS, the local chapter of the American Society for Technion Women's Division raises funds for scholarships to attend the Technion who couldn't otherwise afford it and to support the biomedical engineering research projects at the Technion; and,

WHEREAS, the American Society for Technion Women's Division will hold a Founders Luncheon Sunday, May 16th celebrating "Multi Generations"; and,

WHEREAS, the 1999 American Society for Technion Pittsburgh Women's Division is honoring Evelyn Rosenberg Engelberg, former President of the Pittsburgh Chapter and active member for over 30 years; and,

WHEREAS, Evelyn Rosenberg Engelberg and her husband, Herman, have endowed a scholarship fund for needy Technion students and count themselves as

members of many other Jewish organizations; and,

WHEREAS, Evelyn Rosenberg Engelberg and Herman Engelberg are the proud parents of Marilyn, Rosalyn, Sherilyn, Marcelyn and Moshe Aaron; the proud Grandparents of Jon, Kevin, Becky, Lissie, Jake, Jessa, Leba, Abby, Nina, Emily, Benjy, Benny and Hanna; and the proud Great Grandparents of Rachel and Emily.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Evelyn Rosenberg Engelberg for her dedication and commitment to Technion and the Jewish Community as a whole; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare May 16, 1999, "Evelyn Rosenberg Engelberg Day" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. O'CONNOR AND ALL COUNCIL MEMBERS PRESENT:

No. 1603 WHEREAS, B'nai B'rith is an international Jewish organization committed to the security and continuity of the Jewish people and the State of Israel, defending human rights combating anti-Semitism, bigotry and ignorance, and

providing service to the community on the broadest principles of humanity; and,

WHEREAS, B'nai B'rith' mission is to unite persons of the Jewish faith and to enhance Jewish identity through strengthening Jewish family life and the education and training of youth, broad-based services for the benefit of senior citizens, and advocacy and action on behalf of Jews throughout the world; and,

WHEREAS, the Guardian of the Menorah Award is conferred upon individuals by B'nai B'rith who have made a special and lasting mark in their chosen field of endeavor and earned the respect and admiration of colleagues, both in the corporate world as well as the general community; and,

WHEREAS, the Guardian of the Menorah Award honoree stands as a beacon of light, illuminating all that is good and what we must strive for; and,

WHEREAS, the 1999 Guardian of the Menorah Award honoree is Julian Falk for his outstanding record of selfless service for the betterment of mankind and the Jewish people; and,

WHEREAS, a graduate of Penn State and George Washington University Law School, Julian Falk presided as Senior Counsel to the Singer Company and is currently part owner of Meyers Plumbing and Heating Supply Company; and,

WHEREAS, Julian Falk has also dedicated himself to community service as is proven by his active participation in various charities and community activities, including the Jewish Genealogy Society of

Pittsburgh, Jewish Archives, UJF, the United Way and the Jewish Chronicle.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Julian Falk upon receiving the Guardian of the Menorah Award; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare May 23, 1999, "Julian Falk Day" in the City of Pittsburgh.

MR. FERLO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Thank you. We will now move to public comments and anyone in the audience who wishes to address Council for three minutes. Please state your name and address for the record.

PUBLIC COMMENTS

Ms. Brown:

My name is Yvonne F. Brown. I live at 2633 Brackenridge Street, Pittsburgh 15219.

Citizens that are and any advocates for children youth families if you are watching please get your pencil and paper I will give you my telephone number later. It is at this time, still 621-7641 but I will try to do it again.

I have to speak fast. Now, last week I came down but you are not showing that at all. There might have been some type of technical problems but people are saying if you are going to show the reruns of the Mayor giving out the rewards to please show the whole complete meeting.

Also last week before I spoke there was a black construction owner who came and made allegations that the city or that he has put in for a bid for job that is \$100,000 less than a white company from out of town. Now that was not shown. The Council will have to deal with that but you as citizens should know that it doesn't seem like we're treating our black construction workers as they should.

Also I spoke to Stanley Lowe about trying to help to alleviate the number of young babies that we are finding in the projects. He was very mean and nasty. He screamed at me. I had to ask him to calm down. If Stanley Lowe is not willing to be part of the solution then he's a major part of the problem.

Also I went before the Board of Education last night to speak. Ron Suber the President of the thing would not let me speak but I tried to go to tell them that you have teachers in Brashear High School that are challenging our blacks and poor students telling them to take and hit me and hit me. Now what we seen with those white students in the very nice neighborhoods in Oklahoma or Colorado, we don't want it to happen here. So please help me make Ron Suber treat all parents equally.

I also want to say that the Mayor is taking credit for a food market up in the

Hill District. We don't even have one. We haven't had one in over 30 years. I maybe wrong with the 30 years but we haven't had one and we are saying that maybe if we had a supermarket in our area, some of those babies might not have been dead. The mothers could have walked to the stores instead of trying to get onto the Southside or other places not in our neighborhoods. The Mayor is taking credit.

He needs to take credit also for the Crawford Square area up there. Some of those houses are actually falling apart. Cracks are in those new that's Crawford Square that he brags about. You need to know that they have put up a shabby deal for a lot of those people and some of the people can't even afford that. You need to know about Hope Six and I am asking the advocates to call me, 621-7641. 621-7641. Thank you.

The Chair:

Thank you. I might comment on the last week's tape it was replayed Thursday and Friday. There was a technicality. Next speaker.

Any others speakers to address Council?

Mr. Leeper:

Steve Leeper. I was asked to come and speak a little bit about the situation with the Penguins. I think there is a lot of misinformation going out about what is happening with the Pittsburgh Penguins and I thought maybe it would be appropriate for us given the fact that you're considering a non-binding resolution regarding the issue of eminent domain.

First of all contrary to some individuals involved with the Penguins particularly the existing penguin ownership to suggest that nothing has been done by the public I think is a reflection of where the existing ownership is in terms of its commitment to this area.

First of all the comments not to relocate and the fact that the Public Auditorium Authority at the urging of the Mayor and County Commissioners have filed suit to insure that this team stays in Pittsburgh and lives up to the obligation that was set forth in the documents that we signed just over 18 months ago. So we already made improvements to that facility. We have a team that was supposed to be playing up in the Civic Arena through the year 2007. And we filed in court for injunctive relief to have the court uphold our covenant not to relocate and we were successful in court. As a result of that we really sent a message nationally about teams who think they have a right once they sign agreements, sign leases and sign obligations to play after given significant public assistance that they have the right to go shop teams. The same lawyer who suggests that his existing owner, Roger Marino, did not go out and shop the team was the same guy who says we're not doing anything.

So based on his performance of the past in terms of representing the facts in the case I would question Mr. Sables ability to comment at all on what the Public Auditorium Authority is doing, what the commission is doing and what the Mayor is doing. I would ask this body not to react particularly to representatives of the existing ownership because in fact they have yet to come up and suggest that

they have an obligation to stay in this city. And once we have an ownership that says that this city deserves a hockey team, that they will put the full faith and effort into staying, keeping that team here then that's really not an entity that we want to do business with. Notwithstanding there are several parties that are presently putting forth proposals on the table to keep this team in Pittsburgh and we're very optimistic that we are going to come up with a solution to this problem.

We are convinced that Pittsburgh is a hockey town. We're convinced that Pittsburgh deserves a hockey team, that had the fans support and we have shown in the past that we have given it public support. We are hesitant however at this point in time to identify anyone of these potential bidders as being the bidder that we should support. I know that there is suggestion by the National Hockey League that we should jump on the Mario plan and support that whole-heartedly. Again questioning the NHL's ability to concern which plan is the most viable one, they are the same people that came in and told us that we should do the Betman plan, excuse me the Baldwin plan 18 months ago. So rather than jumping on and panicking here I am suggesting that we be prudent in our review of the individual plans.

There are discussions going on behind the scenes with all of the players that really matter in this transaction. SMG matters for a variety of reasons, one is they have a contractual lease up at the Civic Arena. They have the ability to make concessions and they have the financial wherewithal to be a player in this transaction. Fox Sports has a reason why they want this team here. They are a very significant of Fox Sport programming, the

Penguins are and that we believe in the long run it is very important for Fox Sports to have this team play in Pittsburgh.

So we believe inherently that the three entities, the public, SMG and Fox all have similar interests in wanting to keep that team up there. At the same time it's going to be necessary for us to push all these entities to make the necessary concessions to make this team viable. Right now the Mario plan recommends several things. It suggests that one way it can raise an additional five half million dollars a year in revenues is by having some one condemn their lease. And I have said publicly and I will continue to say publicly, we don't believe that's a viable option. One because we believe that there are other ways to do this. Secondly, in order for one to condemn a lease or peace of property you need money. And the condemnation of that lease would be a very costly endeavor.

Secondly, the Mario plan called for and does not speak specifically to the issue of the ongoing debt service on the Public Auditorium Authority bonds that are presently paid by the Penguins and by SMG. Again that number could be as high as \$2 million a year so that is undefined in the plan on how that was going to be paid for.

And finally, it assumes in relatively short order that we have a new arena available for the Penguins to play. Now we're not suggesting one way or the other that a new arena should or should not be part of this plan. However, in analyzing the Mario plan it is our belief that they are considering that virtually all the revenues from that new arena go into the operations of the team. And as you well know from

the Steeler's situation and Pirate situation we have utilized a variety of different revenue streams generated from these new facilities to help build the facilities. We have to make sure that if in fact it is desired by the public leaders in this community that a new arena should be put into place and that we have to make sure that we utilize some of the revenues particularly in the case of an arena which can generate significant private revenues that we be able to make that part of the mix in terms of a new arena financing.

So, although we make there are some extreme benefits associated with the Mario plan, we would suggest that we wait until we hear the responses back from SMG and Fox which we believe they will respond this week. I think there are other people that have suggested that they may in fact file a plan. I on one hand believe this is an urgent situation and that we need to be ready at a moments notice to get the necessary parties in a room to make the necessary compromises to get this team on track, to get ready for next season.

On the other hand, I think pushing the panic button at this point in time would be disastrous and what happens is when you make decisions and take policies into consideration under duress I think often times we make bad decisions. So I ask you not to move forward on a resolution for condemnation, allow us to continue the ongoing negotiation. And don't believe some of the rhetoric that is going on in the newspaper and in other places regarding the fact that the Mayor, the Commissioners and Public Auditorium are not active in this process. In fact we are very active and we do not think it is our responsibility to publicly state just how active we are.

Mr. Ferlo:

Gentlemen, thank you, Mr. President. First of all, I want to thank Mr. Leeper for coming down today and speaking and for what I think he has articulated a very prudent and reasonable approach as to what the public sector rule and his in particular and the Mayor's rule should be right now during this difficult period.

As strongly as I feel about the need to maintain and preserve the future existence of the Penguins and the City of Pittsburgh, I am 100 percent totally committed to keeping the Penguins here in the City of Pittsburgh and financially solving the future. But as equally strong as I feel about that, I am equally strong to say that there is no way I am going to vote in any way to effect the city's operating budget or the city's capital budget to salvage this team, build a new arena or anything involving the city's operating budget or capital budget. We do not have the money.

There is a role for the public sector to play specifically to the Public Auditorium Authority. But I want to thank the Mayor last night for his comments on television because I think he was coolheaded, levelheaded and gave a reasonable approach about why we need to be involved and the manner in which he needs to be involved at this time. There is an orchestrated campaign going on right now by the editorial boards, by sports jocks, by sport fans of the Penguins to their credit to whip up a hysteria basically throwing all caution to the wind, suggesting that all elected officials including Council just forget about their

fiduciary role and obligation and just write a blank check to Mario or some other group to save the Penguins. I am not going to vote to do that nor should we do that.

There are a lot of private negotiations going on, it's obvious the NFL is imposing a time constraint for obvious reasons. It is obvious that the Marino interest groups want the most out of the deal and it can't be at the expense of city taxpayer. That's not our function at this time. I think some of these negotiations need to take place. There is no way I would even vote to reward a bankrupt morally let alone financially bankrupt Marino operation in terms of the way and the manner in which he has conducted the teams operation over the last several years. Certainly the Mario Lemieux proposal looks promising, but I am not just going to write Mario Lemieux a check I don't care how great a player he is. We are talking about business now.

I don't know if Mario is just in it to make sure he gets his 30 million out and then runs I don't know that. I hope not and I think not but I don't know for sure because I am not involved at that level. So, I want to support the Mayor's approach. I think he needs to be in there each and every hour but I think he needs to hold back the checkbook. I think he needs to make sure that the parties negotiate in good and what ever happened to a level of appreciation from the Penguins about what the public has done already.

Millions of dollars have been sunk into the arena, even the point of new seats which a month later they didn't like and wanted to rip out. Have we forgotten that? We have done nothing but be supportive

of the Penguins and Civic Arena operation and we will be prudently and appropriately supportive in the future. But I am not about to write a blank check for Mario Lemieux, the Pittsburgh Penguins or anyone else. It doesn't need to happen. I mean the amount of profiteering in sports has certainly been outrageous. We saw that with the effort by Senator Specter now with his albeit Johnny come lately approach on teams contributing to stadia construction. But we should not throw caution to the wind winning this deal that is going on right now. There is a role to play. We will keep the Penguins here but I am not about to open up the City's checkbook and write blank check.

Mr. Hertzberg:

Mr. President, it's a difficult situation. The fact of the matter is no matter how you look at this deal, the SMG lease as it now stands is going to prohibit any group from being able to effectively operate the Pittsburgh Penguins. Financially it will never work and if Mr. Leeper wants to correct me, I don't think he will, I think we all realize that. And I appreciate his comments that things are going on behind the scenes that we're unaware of, but if someone doesn't do something and things don't move ahead, that lease will remain in effect. It is going to prevent this whole situation from ever moving forward. That's why I think eminent domain still has to be considered.

And based on Mr. Leeper's credibility he has a ton of credibility with me. He's done a great job in everything he has been involved in. I am going to ask to hold the non-binding resolution again. This resolution isn't one that says City Council is going to dig into the city's

operating budget, the city's capital budget or anything like that. It is just a non-binding resolution that's asking the Public Auditorium Authority to consider using this. Certainly public money has been put into the Pittsburgh Pirates and the Pittsburgh Steelers. What this eminent domain will amount to dollars and cents wise, I submit it is going to be a lot less than what we are talking about with either the Pirates or the Steelers.

And I just -- I still don't get the same feeling that I got with the Pirate threat of leaving town was there. I just don't get that same sense of urgency here. But I think there is cause to have even a greater sense of urgency because the Pirates were never in bankruptcy. The Penguins are in bankruptcy court and they have been in bankruptcy court. Something has to give, either a plan to reorganize them has to be approved or they're going to be liquidated. Something is going to happen and it is going to happen fast.

I know that I appreciate Councilman Ferlo's comments that pressure is trying to be exerted and the thing to do here is be cool, but the reality of it is, the NHL does have to do something for next year. They have to make plans and they have got to make them soon. So I hope things are moving. I hope the behind the scene things are happening. When the appropriate time comes during the meeting, I will make a motion to hold for one week.

Mr. Udin:

I want to just to repeat my cautions of last year -- I last week I still have not seen the legal opinion that verifies that the lease can be taken by eminent domain.

Although I have heard people claim that they believe it can. I still have not seen a written legal opinion, which states that. Number one, aside from the legal opinion just the same as if the city condemns a building, the city has to be prepared to put up the money that the value of that building would have been worth. We need to do a -- if we're going to be serious about continuing to talk about a condemnation of the lease, we need to know what that might cost the taxpayers of the city rather than just talking condemning a lease as though we're just condemning a building by the Bureau of Building Inspection. It costs money. We will have to pay what ever it is determined the value of that lease was.

I am glad to hear Mr. Leeper here today giving evidence that the Public Auditorium Authority as we said last week is involved appropriately in this entire discussion and they will continue to be involved. The Mayor is involved appropriately. I think it would be reckless of Council to insert ourselves into the process of very delegate negotiations that are going on. And so I am glad to hear that Mr. Hertzberg is going to hold the resolution. I would support it, but before Mr. Hertzberg even considers bringing it back, I would like to see both a legal opinion and a financial estimate of what it might cost the taxpayers of this city to condemn the lease.

Mr. Cohen:

Thank you, Mr. President. As a member of the Auditorium Authority the course that Mr. Leeper outlined and I think the course the board has taken so far has been an appropriate course. I mean clearly there is a problem in terms of the

Penguins, that's an understatement. When you look at it historically, Howard Baldwin really gutted the team financially. Roger Marino then came in and wanted to move the team. For people who say that the Auditorium Authority hasn't taken action. I am not talking about people here, but rather on those talk shows because I heard one of them last night. They need to remember that in many ways the first public action that was taken with respect to this crisis was the Public Auditorium's action and that is we sued the Penguins. We sued the Penguins six months ago to prevent Roger Marino from taking the team out of Pittsburgh.

That was on Steve Leeper's advise, that was on our Council's advise and I think it was good advise because we got a judicial decision saying he couldn't have any contacts with anyone, any other team outside the City of Pittsburgh. So I think that action really was one that secured the team here at least legally and now of course there is serious financial consideration.

I appreciate Councilman Hertzberg's saying that he is going to hold this bill. I think that's wise to do. The Auditorium Authority we had an eight o'clock meeting this morning on it. Certainly we are meeting on a weekly and sometimes on a twice a week basis. I think what needs to happen is that we need to study the plan. We need to prod SMG. We need to prod Fox Sports, and we need to prod the Mario Lemieux group to come together and try to reach agreement. Steve Leeper has done that. The Auditorium Authority is doing that. I think that is the prudent course right now. If it turns out that they can't reach agreement and that things fall through the floor, then I think

we come back and look at more extreme measures. I don't think that's necessary now.

The Chair:

I think this is very similar to the Pirates and I think the Mayor -- I watched him last night -- I think he was correct we are paying the fans and the citizens are paying for total mismanagement of the team. This has been going on for years. Don't forget when the Pirates had eight corporate owners, they were losing a heck of a lot of money too. So although they were good corporate citizens they had no business running a baseball team. So we hope that it is moving in the right direction to find a substantial owner. I don't think that any of us are disagreeing with what Mr. Leeper said. We need to know that it is being shown the same urgency of the Pirates with your leadership and you were very heavily involved with the Pirates. If you want to go through it Mr. Cohen who is on the Auditorium Authority, I think Council has to be abreast of what is going on. That is a key issue for us.

I know the commissioners, it is election time, maybe they are waiting until after the election to get involved. I don't see at least publicly too much involvement. We don't have to get into all that but we do have a deadline. I think we want to make sure that at least we're not leaving any stone unturned. If you are involved with it, I commend you being there but I also know that you're building two baseball parks and a convention center. So maybe you should take a couple of weeks off and you can get up tomorrow morning and worry about the Penguins, I would be satisfied.

Mr. Leeper:

We would be glad to continue to brief Council and maybe that would be most appropriate. I would ask our Solicitor to determine that this matter may constitute something we could do in Executive Session if we felt that some of the discussions that we were having could be problematic.

Again I want to emphasize one thing here and actually two things. One is, I want to reinforce what Mr. Cohen said. The very first critical action that was taken was not even the filing of the suit, but the fact that 18 months ago it was in the designing of the legal documents. Thank goodness of our legal counsel from Read Smith, Eric Shaffer that we crafted a covenant not to relocate outside of that lease. And to have a bankruptcy court uphold that covenant is really, I want to say, is unprecedented but certainly something we think will set some standards across this country. So that first step allows us to now negotiate without having to worry about someone always saying you no longer have this covenant. I can walk out of here any time I want to and I want you the public to pay for it. So by doing that we sent a clear message.

So now what's happened is that now everyone is regrouping on how they are going to come back to us with a proposal. They know that sitting out there was this covenant not to relocate. So I think that's the most important thing.

Just the last thing is that and just I don't disagree with anything that Alan said. But the SMG lease, let's be clear how we ever got to that point and the point is that in the early '90s, right after our

Stanley Baldwin bought that team for slightly over 25 million dollars. That's all he paid for a national league hockey franchise. He did not pay to have the operational benefits and revenues of that facility. He took that team and I can go down the host of issues, but at the statement time he was losing money every year. I want to make this distinction between them and the corporate leadership that had the Pirates, when they were losing money, he was distributing money to partners.

Let's be clear about that. During the time he was losing money, he was distributing money to partners. And as a result of that now we have gotten ourselves not into 25 million dollars worth of debt and that's the other thing he did, he bought that team with all debt. And that says something about a league that allows someone to buy a franchise totally leveraged. So then he gets himself further into debt and enter Roger Marino he invests in this. The strike occurs, Mario retires, all the other things that are acceptable problems that maybe were outside their control. But in the mean time they have increased the debt to over 40 million dollars plus. What they have done in position debt of about another 15 million dollars or so and they are turning around and saying we have miss managed the team but you know what I can solve all that.

It is kind of like you know these guys that are selling everyone home equity loans and saying get rid of them. If you take my home equity loan, as if your debt goes away, their solution to this problem is I am not the bad guy these guys SMG are the bad guys. The guys with the bad lease. Well wait a minute, that's why you bought

that team for 25 million dollars. So at the same time, we need - it's at a point in time where SMG has to realize that this is an asset to them. And the only way they are going to continue to enjoy the benefits of this asset is by the gift. We're going to push that and we're going to push Fox and we're going to push all the other potential owners.

But again, I think what has happened here is we have gotten I think a bad PR situation where we think that in and of itself, that lease is the problem. I believe that the lease needs to be restructured, concessions need to be given back to the teams in order for it to be viable, yet at the same time, I wish that was the only problem associated with this team.

The Chair:

I think it is clear. People don't realize that the SMG lease is really they were the bank for Baldwin to buy this team. So they are really not the bad guys but unfortunately it has been mismanaged so they have to come together and try to solve the problem. I don't know of any awareness Mr. Ferlo that they have asked us, city taxpayers to put any money into this. This is a team problem right now. New arenas are down the road and all that. I don't believe it should be spoken about until this team solves their problem.

Again, I don't even know who the people are. Mr. McClatchey in two years turned that team around to be breaking even. So it shows what a good owner/operator can do.

Mr. Ferlo:

I don't think it is fair for them to go to the RAD Board or go to the hotel/motel tax or anything else that has been used in the past. It is just not fair and anyone who thinks that it was just coincidence that knowing that Mario was going to retire he gets a 26 million plus windfall. I mean how is anyone that naïve to think that he was not involved in the beginning and possibly relocating and marketing this team elsewhere, knowing full well that he would get his \$26 million back? If you think I am going to believe that Mario is just a great angel here and that is getting \$26 million knowing he is not even going to play, I mean he was going to be part of this scam to move the team and market it at a higher profit somewhere else. I will always believe that.

The Chair:

I don't want to debate the issue. I don't think Mario was part of that scam at all because he and Roger Marino were certainly at terrific odds. If they would have come together we probably could have succeeded this thing.

Mario is very committed to keeping the team here. Although you may be partially right, he certainly has an invested interest, but I also think his interest is keeping here, and he is doing exactly what Mr. McClatchey did, he is bringing together people with financial dollars to keep this team here. Again, it has got a long way to go, but I hope Mr. Leeper can keep us informed and we want to support them and make sure it stays here.

Mr. Leeper:

Well we will work with your office

in setting some executive sessions. Thank you.

The Chair:

Thank you.

Can we have a five minute recess, because we have been waiting seven, eight minute recess, we have all council members here for a photo that needs to be taken.

(Whereby a recess was taken.)

The Chair:

Thank you. Council's meeting is now unrecused. Move to presentation of papers.

PRESENTATION OF PAPERS

MR. DIVEN PRESENTED:

No. 1604 Resolution Providing for the issuance of a \$16,636.46 warrant in favor of NORALCO CORPORATION, 1920 Lincoln Road, Pittsburgh, PA 15239, for additional costs directly related to the repair and rehabilitation of an unforeseen party wall with the adjoining structure at 704-706 Second Avenue in completion of the Demolition contract dated January 20, 1999, by and between the CITY OF PITTSBURGH, BUREAU OF BUILDING INSPECTION, and NORALCO CORPORATION for the razing of the structure at 700 Second Avenue.

Which was read and referred to the Committee on Finance and Budget.

MR. FERLO PRESENTED:

No. 1605 Resolution Authorizing and directing the Mayor and the Director of General Services to lower the Cable Franchise Fee paid by City of Pittsburgh cable television users commensurately with the rate increase recently implemented by TCI of Pennsylvania. — (SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Lands, Buildings & Procurement.

No. 1606 Resolution Authorizing the Mayor and Director of the Department of Parks and Recreation to name the playground at Broad and Evaline Streets in Garfield, constructed upon the properties with Lot and Block Numbers 50-L-184 and 50-L-187 in the 10th Ward, to be the "Nelson Mandela Peace Park" — (SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Parks, Recreation & Youth Policy.

MR. FERLO moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Also,

No. 1607 Resolution Amending Resolution No. 667, effective November 30, 1998, entitled "Providing for an

Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts for design and construction of improvements to various Overlooks, including but not limited to the West End Elliott Overlook; and providing for the payment of the cost thereof," by increasing the total project allocation by \$250,000.00 from \$225,000.00 to \$475,000.00.

No. 1608 Resolution Providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts in connection with the Neighborhood Street Improvements Program and the Rehabilitation/Replacement of the S. 10th St. and S. 15th St. Pedestrian Bridges; providing for a Cooperation Agreement with the Pittsburgh Parking Authority; and providing for the payment of the costs not to exceed \$944,600.00.

No. 1609 Resolution Providing for an Agreement or Agreements, or use of existing Agreements for Construction Inspection Services on various City projects; and providing for the payment of the costs not to exceed \$150,000.00.

Which were read and referred to the Committee on Engineering and Construction.

MR. HERTZBERG PRESENTED:

No. 1610 Resolution Granting unto Allegheny County, 101 Courthouse, 436 Grant Street, Pittsburgh, Pennsylvania 15219, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, an Exhibit/Information Panel on a portion of the sidewalk area of Forbes Avenue

adjacent to the City-County Building in the 1st Ward, 6th Council District of the City of Pittsburgh.

No. 1611 Resolution Vacating portions of North Negley Avenue and North St. Clair Street in the 11th Ward, 9th Council District of the City of Pittsburgh.

No. 1612 Resolution Vacating portions of Federal Street, West General Robinson Street, Stadium Drive East and North Shore Drive in the 22nd Ward, 6th Council District of the City of Pittsburgh.

Which were read and referred to the Committee on Public Works, Water & Environmental Services.

MS. MCDONALD PRESENTED:

No. 1613 Resolution Authorizing the Urban Redevelopment Authority of Pittsburgh to Acquire all of the City's Right, Title and Interest, if any, in and to the following Publicly-Owned Property in the City of Pittsburgh (Council District No. 3 -- Residential Construction). -- (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

18th
4-C-94
6 McArdle Roadway

18th
4-G-249
35 Vinecliff Street

18th
4-G-254
8 McArdle Roadway

18th
4-G-256
43 Vinecliff Street

18th
4-G-264
41 E. Sycamore Street

18th
N/A
Portion of Vinecliff Street
(To be Vacated)

MS. MCDONALD moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced, so the bill will be on the agenda this Wednesday.

MR. FERLO seconded the motion.

Which motion prevailed.

Also,

No. 1614 Resolution providing for an agreement with Byrd R. Brown Law Offices for legal representation as the Solicitor of the Pittsburgh Commission On Human Relations in 1999, at a cost not to exceed \$20,000.00.

No. 1615 Resolution Approving Execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Jeanine C. Bacon for the Sale of Block 7B Lot 380 in the Twenty First Ward of the City of Pittsburgh for \$310.00 (Council District No. 6 - 1410 Hamlin Street - Off street parking and sideyard). -- (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

No. 1616 Resolution Approving execution of a Contract for Disposition by Sale of Land by and between the Urban

Redevelopment Authority of Pittsburgh and Chartiers Nature Conservancy, Inc. for the sale of Parcels 12A and 12B in the 28th Ward of the City of Pittsburgh, in Redevelopment Area No. 24, Block 69B Lot 2 -- Ingram and North Duane Avenues --Council District No. 2 (recreation area). The purchase price of \$50,000.00. --- (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

No. 1617 Resolution Approving execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Earl K. Russell and Valerie Jo Russell for the sale of Parcels 100 and 108A in the 13th Ward of the City of Pittsburgh, in Redevelopment Area No. 19, Block 174G Lots 265, 264 and 263 -- 1210-1218 Pineridge Street --Council District No. 9 (garage and sideyard area). The purchase price is \$2,000.00. . --- (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

No. 1618 Resolution Authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property, located at 477-479 Kilbourne Street, in Council District Number 5, in the 15th Ward of the City of Pittsburgh owned by Francis Rende and designated as Block 56-D and Lot Numbers 131, 132 and 164 in the Deed Registry Office of Allegheny County. (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

No. 1619 Resolution Authorizing the Urban Redevelopment Authority of Pittsburgh to acquire the following property in the 15th Ward of the City of Pittsburgh privately owned, and designated as in the Deed Registry Office of Allegheny County, under the Residential

Land Reserve Fund. (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

56-N-190
5109 Ladora Way
Guy Oliveri

56-N-189
5111 Ladora Way
Guy Oliveri

56-N-188
5113 Ladora Way
Guy Oliveri

56-N-187
5115 Ladora Way
Clara Karafa

56-N-186
5117 Ladora Way
Hartman/Kissell
56-N-184
5119-27 Ladora Way
Hartman/Kissell

56-N-178
5129-37 Ladora Way
Hartman/Kissell

56-N-172
5139-47 Ladora Way
Hartman/Kissell

56-N-166
5149-57 Ladora Way
Hartman/Kissell

No. 1620 Resolution Authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property, located at 161 Brahm Street, in Council District Number 1, in the 26th Ward of the City of Pittsburgh owned by William Pegg and designated as Block 46-J and Lot Number

132 in the Deed Registry Office of Allegheny County. (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

MR. O'CONNOR PRESENTED:

No. 1621 Communication from the City Solicitor, Jacqueline Morrow submitting a summary of all claims filed and paid in April of 1999.

No. 1622 Communication from City Controller, Tom Flaherty submitting a Special Report on Stadium Lease Comparisons with 15 U.S. Cities for Major League Baseball.

Which were read, received and filed.

MR. HERTZBERG moved to receive and file.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

Now move to unfinished business. Is there any unfinished business to come in front of Council?

UNFINISHED BUSINESS

Mr. Hertzberg:

Two items. First with respect to that resolution with the Penguins and eminent domain, I make a motion to hold that for one week.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

Second, I think you recall last week the topic of Just Ducky Tours and their problems related to PNC Park and being able to get in and out of the water on the North Shore. It was discussed and I want to thank everyone on Council for their reactions and their support for Just Ducky Tours. There is a tentative agreement that's been reached with the Pittsburgh Pirates that will allow the ducks to come out of the water through the PNC Park site at least until November. It not so there will be probably another year worth of problems we have to for Just Ducky, but at least they are going to get through the current season with the good duck weather. So I appreciate everyone's support on that. And I want to thank the Pirates for stepping to the plate and helping the ducks.

The Chair:

Council doesn't need a Ducky Tour or anything, we can handle that okay. Thank you, anything else under unfinished business? Hearing none, move to Committee Chair Reports.

CHAIR REPORTS

Mr. Diven:

I will try to keep it brief today. I understand the hour is getting late. Just some updates regarding some of the bureaus within the Public Safety Department.

In the Police Bureau, all assistant chiefs were rotated to new positions and they will receive valuable experience in operating another branch of the bureau.

They have hired a Manager of Professional Development that was a suggestion that was made by the McKenzie study. They have also hired a Public Affairs Officer, which was another recommendation of the McKenzie study. And one note that Council will have an interest in is the officer safety committee met and they voted in favor of the road spike tire deflation devise. Remember we had the Post Agenda that was the one that they thought would be the best.

The Chair:

The one the state police are using?

Mr. Diven:

I believe so, yes. That's the one that they had chosen after reviewing the products and they will be proceeding with the purchase. So I am sure that legislation will be coming in front of Council shortly.

In the EMS Bureau they're in the process of interviewing 60 candidates to fill 30 positions for the EMT position with the basic life saving units. Also the week of May 17th is EMS Week. We will be preparing legislation, my office will be preparing a proclamation to recognize that in the City of Pittsburgh.

Right now River Rescue is being staffed from 7 a.m. to 11 p.m. in a trailer underneath the Clemente Bridge and they will continue to work with the contractors to ensure the 24-hour access to the boats for river rescue. They're also in the process of breaking down the number and type of calls EMS responds to by Council District and that information will be available shortly.

Additionally the learning channel

is doing a ride along with the City of Pittsburgh paramedics for the next month for their show Paramedics. Chief Kennedy has pointed out that the reason that Pittsburgh was chosen for this show was because of our great reputation nationally as leaders in the paramedic field. So we look forward to seeing what kind of coverage the City of Pittsburgh gets in that.

Another issue that has come up in the Emergency Operations Center, I am sure most of you probably were aware of the comments made in the news television reports last week regarding staffing levels at the EOC. Right now they are in the process where it is a pretty bad situation. They have mandatory overtime, as much as three days in a row where you have people working dispatch working 16-hour shifts. I don't know how we got to this point but I think Council definitely needs to take a role in finding out what the problem is, why don't we have the number of people working in dispatch?

There was a one statistic that was quoted, I believe 1700 hours of overtime was responsible because they didn't have the staffing levels to support full shifts working in 911 dispatch. I had the opportunity to talk with Chief Rowntree, he's told me that five trainees have started a 12 week program that started last Monday and they're in the process of testing an additional class of applicants which they have approval to hire ten more people. But unfortunately when you look at the 12 week training as a requirement for stepping into these positions, we're in a situation where even if we hire these people today, it is going to be three months before they're activity involved in lessening the occurrence of mandatory

overtime in the 911 Center. So it is definitely something that I believe Council needs to take a role in and making sure that we set up a procedure so that we're not asking a handful of people to really have to give up everything else in their life to staff the 911 Center.

I think just the amount of fatigue and the level of stress associated with the job at the 911 center and the dispatch position is a pretty tremendous stress level. I think that we need to put together a procedure or system that makes sure that we have people constantly in a position to go on if vacancies open up in the 911 dispatch center. So that's one problem that I think we definitely need to take a look at. I would also like to commend those people that work in the 911 center. The dispatchers who are working the mandatory overtime and who are making the sacrifice. I know it's a tough situation for them and they're to be commended for their dedication to the city's public safety services.

In addition the Emergency Operation Center is in the process of loading new data into their CAD system. They are also in the process of working on their Y2K problem and they're also discussing issues related to mass destruction weapons. They're in the process of finishing the final phase of microwave communication system. And they're I guess hardening the communication infrastructure against outages. So there are some of the things that EOC is working on.

In the Bureau of Fire, they're in the process of preparing a bid for purchasing a new pumper and also going after rehabilitating ten 1986 pearce pumps which will extend the life of those

pumpers to the year 200six. Right now they're in the process of putting recruit training in. They have a class for the spring and there is supposed to be another class scheduled to start sometime this summer. So that hopefully we will have additional firefighters brought on by the end of the year.

They are also pursuing terrorism and terrorism recognition and response training and they're continuing in their high rise operations working with high rise buildings to insure that if a crises or emergency ever happens there we will be in a position to handle it effectively and professionally. And some more information here.

They're continuing with their fire prevention program. I think one of the causes of the lower occurrence of fires in the City of Pittsburgh has been a tremendous proactive fire prevention program and the City of Pittsburgh Fire Bureau is continuing on in that direction. The smoke detector program they have had 2,216 residents canvassed and they have had 174 smoke detectors installed. The Fire Prevention Company Inspection Program they have gone out and had 432 inspections completed and I believe another 276 in the fire prevention inspection.

But they're also doing a school curriculum where they are going out and teaching classes. I believe they put on 63 programs as of this year where they're going out and working with child safety programs and doing special exhibits and doing things to make children aware of who to contact in a time of emergency. So they have been very busy and they have accomplished enough. It is a shame with

the lateness of the hour there is a whole package of information regarding some of their goals and some of their accomplishments. I will make sure Council gets a copy of this and that's all the information.

The Chair:

I think we have some questions or comments.

Mr. Udin:

Yes, sir, thank you, Mr. President. One, I read an article in today's paper where Commander Freeman spent a considerable amount of time with a distraught shooting suspect talking the suspect off the roof. And Commander Freeman apparently displayed a considerable amount of patience and skill in getting the person off the roof and able to surrender.

That is certainly a much more preferable outcome than the kind of violent outcome that could have occurred with a less patient and less experienced commander in charge. I want to just commend Commander Freeman although it was unfortunate our same article contained an incident where there was an unfortunate accident when a window was broken when the man was apparently breaking the window to get out of the house. Somehow an officer became frightened and ducked for cover and broke his arm in the process. I don't know what that was about, but Commander Freeman certainly displayed tremendous skill and I want to commend him for that. That's one thing.

Secondly, I received a letter from

the principal of a middle school who conveyed an incident that I could not believe happened and I would like to ask Mr. Diven to look into it. It was a wrestling match at a middle school and the principal called 911 for an ambulance because the child broke his wrist and his wrist was there dangling and the child was riving in pain. After 15 minutes and no ambulance the principal called and they were told there was no ambulance available. After 30 minutes the ambulance dispatched 911 dispatch called back and told the principal there was still no ambulance available and perhaps they ought to she ought to take the child in a car, in a private car to the hospital.

I just couldn't believe that that is our EMS system here in Pittsburgh because usually when we talk about EMS response times at the table we are talking about six and a half minutes to seven minutes and one of the most rapid response times in the nation. I just could not believe that we have like over 30 or 40 minutes with no ambulance service available for a child with a broken limb.

And so I hope that is some rare occasion that is not repeated on a regular basis. I would like to hear from Mr. Diven after he has an opportunity to look into it. I can't imagine what would take over a half-hour for ambulance service to respond to an elementary school call, or a middle school will call with a medical emergency.

Mr. Diven:

I will definitely follow up with communication to Chief Kennedy to ask for the details on this but I can tell you that this happened last year.

I know my office was contacted. There was a child at Beechwood School that fell and cut himself and the same situation ensued where an ambulance wasn't available. And following up on that complaint and that request to find out what happened, I was informed that there was a couple alarm fire in Southside and a lot of the paramedic units were at the scene there and couldn't leave because they were attending to people from a fire. So it does happen.

And one of the things that at least in looking at the basic life savings units that the EMT's are supposed to staff they're supposed to be able to fill the gaps. So the likelihood that if someone has a non-life threatening emergency such as a broken arm or cut that needs stitches or something that nature the basic life saving units are supposed to be available and concentrate on making sure that those gaps are filled.

So I will follow up with a communication to Chief Kennedy to ask for the details in response to that particular incident. But I know that things have happened not as frequently as something that would be routine, but there are times in emergency response where for whatever reason if they're attending an auto accident or a fire that those units just are not available, because they're in other parts of the city. But with the addition of the EMT's and the basic life saving units hopefully we will be in a position to make sure that we can respond to any emergency that happens in the City of Pittsburgh.

The Chair:

I would be concerned if you are correct and there is some emergency, what is the back up plan? I mean we have

firefighters, we have police officers, if they can't be there then the person should be told there is an emergency, please --

Mr. Udin:

Certainly it is not the whole entire EMS force was at one fire?

The Chair:

I am just saying, whatever --

Mr. Diven:

I don't know.

The Chair:

There has to be other back up somehow. Even if in the rarest case, they were, what is the back up? Whatever, we have to get the person or child or anybody else to the hospital no matter what the situation is. So hopefully we have a back up plan.

Mr. Diven:

I mean you have to understand I believe, I am not sure on the statistics, but I believe there are 12 EMS paramedic units citywide and we do have a city that has a population of over 300,000 people. We have a lot of people that come in from outside the City of Pittsburgh. So I mean that obviously they're doing the best that they can, but we can improve and I think that needs to be stressed.

The Chair:

My point is if it is a rare occasion and all 12 are some where, there should be a back up plan. Some one else has to get

there and help that child.

Mr. Diven:

I will definitely follow up on it.

The Chair:

I remember the days when a police officer would put you into a wagon and rush you to the hospital to have a baby or whatever else. We have to have some back up plan. I will be interested in a follow up from that.

Mr. Hertzberg:

Thank you. If you could also check on Zone 4 police staffing levels. In fact, I think we share Zone 4, Councilman Diven. Because I have had steady complaints for at least a year now from the communities Esplen, Sheridan, Elliott and the West End that there doesn't seem to be a sufficient number of police out on the streets. Even it seems like the levels are so low that they can't even react to reports let alone try to have a presence in some of our more troubled areas.

So maybe you can check but I am being told that the staffing levels have just been on a slow decline and that there aren't any new classes or anything else going on as far as getting some more police hired and up to the appropriate levels.

Mr. Diven:

We have in the budget money to but together a civil service exam on sometime this year for new police hires. I believe during the budget time we talked about hiring 25 additional police officers. But I have heard the same complaints. In

fact, one of the things that I followed up on, I believe when they had the Fortune 500 group in, a lot of the Zone 4 police officers were called to come down and protect or serve as security around the Westin William Penn which only left one car to canvas all of Zone 4 which that's not acceptable.

Another thing that I was shocked about was with the allocation of COP Officers. Anytime we have a major event in the City of Pittsburgh, a lot of the COP officers are pulled out of there respective neighborhoods to save the city on overtime pay that it would cost to bring more officers out. I think the purpose of the COP officers is not to supplement your overtime budget. It is to build roots and relationships with people in the community and they can't do that if every week they're pulled out to respond to a need for whatever major event is happening in the City of Pittsburgh.

But I will definitely follow up on that and try to get you the dates on when they are going to have the test and how many they are planning on hiring. But I think one of the problems we need to be aware of is with the lack of funding coming from the state for the municipal courts, I don't know if it is the administration's plan to cut the scale back on hires. I know they have done it with the 52 vacancies in Public Works that we had placed in the budget. I believe they have only hired 17. So the additional police officers might be something that we have to get clarification from the administration as to what their intentions are with those positions.

Mr. Hertzberg:

Maybe on the COP issue which is the same feedback I am getting, I think all their shifts were changed related to the Marathon. Citywide the COP's all changed shifts for I don't know how many weeks it was before the Marathon so that when they worked during the marathon, it wouldn't be overtime. That certainly wasn't what Council had in mind in supporting the idea of community oriented police. It was to have people that knew particular neighborhoods not to be our special events police.

So hopefully we can also talk about some changes we're our COP's are doing what we had hoped they would do and I think they're supposed to be doing.

The Chair:

I just have one comment on the 911 staffing. I would ask you to get a report of where we are and where we are going because summer vacations are coming up. It looks like when you fall behind and there is a management problem it is not going to recover overnight. So I would ask you to get an update on the staffing and when they're going to solve the problem.

Mr. Diven:

Like I said in my report, they have hired five, they started last Monday to go through the 12 week training process. They have got approval to hire an additional ten, which I don't know what date they will be entering training. But even if we hire them they still have three months worth of training, so we're not going to be in a situation and it is very unfair to the people that work in emergency operations to ask them to put aside everything else in their life and

mandate that they work there. I think that's going to have a devastating impact on morale and their physical ability to perform under high stress levels.

I think that job can be compared to an air traffic Controller. I mean any time some one calls 911, obviously they have got an emergency. If people aren't in a position to have the rest and the relief from stress that their job puts on them, I believe it will have an adverse effect on their ability to perform whether they want to be there or not I think it physically and we all have limitations and if we ask people to work three days in a row and for 16 hours a day, that is a very tough requirement let a lone working in an environment that has such a high stress level around it when responding to emergency calls.

The Chair:

Again paying overtime you could put 15 Pittsburghers to work tomorrow and actually save money and have a better job performance. And the other issue, I will wait until after the election I guess we will make a decision on the 911 center to move to North Point Breeze and I understand they're working on a lease so hopefully that will be resolved quickly.

Moving on to reports of committee.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1623:

Report of the Committee on Finance and Budget for May 5, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1540:

Resolution Authorizing and directing the Mayor, the Director of General Services, the Director of the Bureau of Information Systems (CIS), and the City Clerk, to enter into an agreement(s), professional services agreement, and/or contract or contracts for the design, development and implementation of a computer based multimedia interactive information kiosk for placement in the lobby of the City County Building to include the purchase of computer equipment, equipment, supplies, communication hardware, software, training and maintenance, at a cost not to exceed Thirty Five Thousand Dollars (\$35,000). ---**(SPONSORED BY MR. FERLO)**

Which was read.

Also,

Bill No. 1562:

Resolution repealing items in Resolutions, approved on various dates, authorizing the sale of properties in various wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

(A) 508 Richland Street, being sold to Robert E. Vance, 2 sty. brick house, 13th Ward, Block 174P, Lot 16, amount forfeited \$150.00. Council District 9.

(B) 50 Cushman Street, being sold to Rosemary K. Stull, 18th Ward, Block

4R, Lot 270, amount being forfeited \$100.00. Council District 3.

(C) 1421 Adams Street, being sold to Mary D. Lewis, 2.5 sty. brk. hse. & 1 car. Gar, 21st ward, block 22F, lot 113, amount forfeited \$500.00. Council District 6.

(D) 1505 Allegheny Avenue, being sold to Marion Kelley, 2 sty. brk. hse. Amount forfeited \$260.00. Council District 6.

(E) 504 Jefferson Street, being sold to Anthony R., Brown & Geraldine Reynolds, amount forfeited \$100.00. Council District 6.

(F) 327 Gould Avenue, being sold to Carl W. Dorow, amount forfeited \$400.00. Council District 1.

(G) 43 Schubert Street, being sold to Daniel J. Helt & Denise A. Helt, amount forfeited \$100.00. Council District 1.

(H) 136 Winslow Street, 2 sty. fra. dwlg., Darnell Grisham, amount forfeited \$100.00. Council District 9.

Which was read.

Also,

Bill No. 1563:

Resolution providing for conveyance by the City of Pittsburgh of certain properties in the 3rd and 5th Wards, to the Housing Authority of City of Pittsburgh for inclusion in the Hope VI Program, for the sum of \$1,000.00 per property. Council District #6.

WARD 3

1805 Cliff St.

9-M-123

2-1/2 sty.brk. hse.

850 sq. ft.

1817 Cliff St.

9-M-131

2 sty. brk. hse.,

1 sty. brk. gar.

3,642 sq. ft.

1734 Cliff St.

9-M-219

3 sty. brk. hse.,

1 sty. c. b. gar.

1,292 sq. ft.

1904 Bedford Ave.

9-M-302

1 sty. brk. bldg. (rear)

2,667 sq. ft.

1841 Webster Ave.

9-S-199

2-1/2 sty. brk. hse.

1,472 sq.ft.

WARD 5

37 Davenport St.

10-J-26

2 sty. brk. hse.

1,814 sq. ft.

139 Erin St.

10-J-45

3 sty.brk. hse.

2,306 sq. ft.

206 Devilliers St.

10-J-205

2 sty. brk. hse.

1,725 sq. ft.

2001 Webster Ave.

10-J-208

3 sty. brk. hse. & store

1,430 sq. ft.

2019 Webster Ave.

10-J-232

3 sty. brk. dwg. & sto.

953 sq. ft.

218 Erin St.

10-J-273

2 sty. brk. hse.

2,894 sq. ft.

15 Davenport St.

10-N-44

2 sty. brk. hse.

1,900 sq. ft.

219 Erin St.

10-J-261

Brick Commercial bldg.

2,250 sq. ft.

Which was read.

Also,

Bill No. 1564:

Resolution providing for conveyance by the City of Pittsburgh of certain vacant lots in the 3rd and 5th Wards, to the Housing Authority of City of Pittsburgh for inclusion in the Hope VI Program, for the sum of \$100.00 per lot plus all necessary and incidental expenses in connection with such acquisition. Council District #6.

THIRD WARD

5 Cassatt St.

9-M-112 1,919 sq. ft.	1,342 sq. ft.
12 Cassatt St. 9-M-114 2,907 sq. ft.	1848 Cliff St. 9-M-187 2,030 sq. ft.
1803 Cliff St. 9-M-122 892 sq. ft.	1841 Monaca Pl. 9-M-188 1,508 sq. ft.
1811 Cliff St. 9-M-127 890 sq. ft.	1836 Cliff St. 9-M-194 6,875 sq. ft.
1829 Cliff St. 9-M-137 3,331 sq. ft.	25 Monaca Pl. 9-M-195A 1,834 sq. ft.
1835 Cliff St. 9-M-143 1,665 sq. ft.	1830 Cliff St. 9-M-195B 1,162 sq. ft.
1837 Cliff St. 9-M-146 1,665 sq. ft.	11 Monaca Pl. 9-M-202 1,311 sq. ft.
1839 Cliff St. 9-M-147 1,665 sq. ft.	5 Monaca Pl. 9-M-203 1,427 sq. ft.
10 Ledlie St. 9-M-173 946 sq. ft.	4 Monaca Pl. 9-M-204 700 sq. ft.
1858 Cliff St. 9-M-180 2,745 sq. ft.	2 Monaca Pl. 9-M-206 700 sq. ft.
1850 Cliff St. 9-M-186 1,342 sq. ft.	1 Monaca Pl. 9-M-207 700 sq. ft.
1843 Monaca Pl. 9-M-186A	1809 Bedford Ave. 9-M-245 2,874 sq. ft.

810-812 Cassatt St.
9-M-246
3,863 sq. ft.

1815-1817 Bedford Ave.
9-M-251
1,586 sq. ft.

802 Cassatt St.
9-M-251A
663 sq. ft.

10 Monaca Pl.
9-M-258
671 sq. ft.

58 Monaca Pl.
9-M-277
9,800 sq. ft.

809-811 Monaca Pl.
9-M-279
885 sq. ft.

1918 Bedford Ave.
9-M-290
1,096 sq. ft.
1916 Bedford Ave.
9-M-293
1,050 sq. ft.

1914 Bedford Ave.
9-M-294
1,156 sq. ft.

1902 Bedford Ave.
9-M-303
600 sq. ft.

1900 Bedford Ave.
9-M-304
1,638 sq. ft.

1864 Rowley St.

9-M-305
1,069 sq. ft.

1852 Bedford Ave.
9-M-306
2,667 sq. ft.

1848-1850 Bedford Ave.
9-M-308
5,354 sq. ft.

1846 Bedford Ave.
9-M-309
2,667 sq. ft.

1840 Bedford Ave.
9-M-314
910 sq. ft.

1838 Bedford Ave.
9-M-315
910 sq. ft.

1848 Rowley St.
9-M-317
778 sq. ft.

1834 Bedford Ave.
9-M-319
2,667 sq. ft.

1830 Bedford Ave.
9-M-320A
1,200 sq. ft.

1911 Webster Ave.
9-M-324
2,667 sq. ft.

1729-1731 Bedford Ave.
9-S-37
2,838 sq. ft.
1801 Bedford Ave.
9-S-38
1,690 sq. ft.

1834 Rowley St.
9-S-44
980 sq. ft.

1822 Bedford Ave.
9-S-46A
1,474 sq. ft.

1824 Bedford Ave.
9-S-45
1,280 sq. ft.

1812 Bedford Ave.
9-S-51
1,551 sq. ft.

1810 Bedford Ave.
9-S-52
1,914 sq. ft.

1815 Rowley St.
9-S-53
672 sq. ft.

1813 Rowley St.
9-S-54
668 sq. ft.

1806 Bedford Ave.
9-S-70
2,823 sq. ft.

1900-1902 Webster Ave.
9-S-211
5,594 sq. ft.

1819 Enoch St.
9-S-231
564 sq. ft.

1815 Enoch St.
9-S-231A
560 sq. ft.

1817 Enoch St.
9-S-231B
542 sq. ft.

1936 Bedford Ave.
10-J-195
1,251 sq. ft.

WARD 5

39 Davenport St.
10-J-27
1,166 sq. ft.

2032 Webster Ave.
10-J-33
954 sq. ft.

141 Erin St.
10-J-44
2,366 sq. ft.

2000 Bedford Ave.
10-J-196
1,300 sq. ft.

2004 Bedford Ave.
10-J-198
2,779 sq. ft.

202 Devilliers St.
10-J-207
657 sq. ft.

2014-2016 Bedford Ave.
10-J-216
2,535 sq. ft.

2018 Bedford Ave.
10-J-218
1,248 sq. ft.

24 Shipton St.
10-J-220
6,000 sq. ft.

26 Shipton St.
10-J-224
1,587 sq. ft.

4 Shipton St.
10-J-226
1,497 sq. ft.

3 Shipton St.
10-J-227
1,492 sq. ft.

2 Shipton St.
10-J-228
3,073 sq. ft.

15 Seal St.
10-J-245
2,500 sq. ft.

2030 Bedford Ave.
10-J-251
1,472 sq. ft.

2032 Bedford Ave.
10-J-252
1,472 sq. ft.

2034 Bedford Ave.
10-J-253
1,472 sq. ft.

209-211 Erin St.
10-J-263
2,160 sq. ft.

220 Erin St.
10-J-272
2,422 sq. ft.

216 Erin St.
10-J-274
3,360 sq. ft.

2101 Webster Ave.
10-J-275
2,100 sq. ft.

2109 Webster Ave.
10-J-279
2,200 sq. ft.

2111 Webster Ave.
10-J-280
1,570 sq. ft.

2115 Webster Ave.
10-J-282
1,472 sq. ft.

2119 Webster Ave.
10-J-283
1,723 sq. ft.

2121 Webster Ave.
10-J-284
2,986 sq. ft.

2123 Webster Ave.
10-J-285
2,058 sq. ft.
2127 Webster Ave.
10-J-287
2,100 sq. ft.

2129 Webster Ave.
10-J-288
1,758 sq. ft.

2135 Webster Ave.
10-J-289
2,076 sq. ft.

2137 Webster Ave.
10-J-290
1,600 sq. ft.

2141 Webster Ave.
10-J-291

3,150 sq. ft.
2151 Webster Ave.
10-J-297
1,920 sq. ft.

2153 Webster Ave.
10-J-298
1,920 sq. ft.

2155 Webster Ave.
10-J-299
1,916 sq. ft.

105-109 Perry St.
10-J-316
4,320 sq. ft.

4 Fir Way
10-J-324
1,083 sq. ft.

Which was read.

Also,

Bill No. 1565:

Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(A) 2314 Arlington Avenue, 16th Ward, Block 13-L, Lot 240, being sold to Jeffrey S. Koch & Anita L. Koch, \$500.00. Vacant lot containing an area of 2,032 sq. ft. Intended Use: Build a garage. (Council District 3).

(B) 2164 - 2166 Centre Avenue, 5th Ward, Block 10P, Lot 109, being sold to Victor J. Grigsby, \$4,000.00. 2 - 2 sty.

brk. apt. hses & stores 2-2 sty brk. hses. rr. situated on a lot containing 6,387 sq. ft. Intended Use: Redevelop and establish business. (Council District 6).

(C) 7211 Kedron Street, 13th Ward, Block 174B, Lot 289, being sold to Jeffrey B. & Wanda N. Rollins, \$1,200.00. Two story brick house situated on a lot containing an area of 2,325 sq. ft. Intended Use: Personal Residence. (Council District 9).

(D) 214 Kaercher Street, 15th Ward, Block 55-A, Lot 254, being sold to Robert & Roberta M. Labishak. \$2,000.00. Vacant lot containing an area of 9, 920 sq. ft. Intended Use: Build Personal Residence. (Council District 5).

(E) 1321 Adams Street, 21st Ward, 2.5 sty. brk. hse. situated on a lot containing an area of 1,440 sq. ft, \$2,500.00. Intended Use: Personal residence or rental property. (Council District 6).

(F) 858-860 Spring Garden Avenue, 23rd Ward, Block 24E, Lot 135, \$500.00. Intended Use: Vacant lot containing an area of 3,000 sq. ft. Intended Use: Off street parking (Council District 1).

(G) 862-864 Spring Garden Avenue, 23rd Ward, Block 24E, Lot 136, 3 sty. brk. hse.-tavern situated on a lot containing \$5,500.00. Intended Use: Rental Unit. (Council District 1).

(H) 112 Carrington Street, 25th Ward, Block 23-F, Lot 176, 2 sty. fra. hse. situated on a lot containing an area of 1, 000 sq. ft., \$500.00. Intended Use: Personal Residence. (Council District 6).

Which was read.

Also,

Bill No. 1543:

Resolution transferring the amount of Two Hundred thousand (\$200,000.00 Dollars from Salaries to Premium Pay, both within the Department of Public Works. ---**(PRESENTED BY MR. HERTZBERG)**

Which was read.

Also,

Bill No. 1575:

Resolution Authorizing and directing the Director of the Department of Finance to issue partial checks to supplement the pay of any City employee who is called to active military services (any Reserve, National Guard Component of the U.S. Armed Forces or Coast Guard) due to Operation Allied Force to support NATO operations in Kosovo, amounting to the difference between their military pay and City salary, and to maintain all health care benefits for said employees, their spouses and dependents during their term of absence in Kosovo. --
-(SPONSORED BY MR. DIVEN)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Udin:

All though it comes in the Department of Finance, I want to commend Councilman Ferlo on the kiosk program. I hope he will speak on that it is included in today's bills.

The Chair:

Also, I would like to commend Mr. Diven for supporting our soldiers who are going to go over in a very crucial time to be away from their families up to as many as nine months. I think it shows a lot and we have had quite a few calls. I want to thank you for introducing that bill.

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed will vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES Nine NOES None

Bills have received the legally required number of votes and have passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 1624:

Report of the Committee on Public Works, Water and Environmental Services, for May 5, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1544:

Resolution Granting unto Friendship Development Associates 5530 Penn Avenue, Pittsburgh, Pennsylvania 15206 and Bloomfield Garfield Corp., 5149 Penn Avenue, Pittsburgh, Pennsylvania 15224, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a handicap ramp on a portion of the sidewalk area of 5530 Penn Avenue in the 8th Ward, 9th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 1546:

Resolution granting unto Home Depot, Regional Headquarters, 3096 Hamilton Blvd., South Plainfield, NJ 07080, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, an 18" storm sewer encroachment under the sidewalk of East Liberty Boulevard in the 11th Ward, 9th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 1547:

Resolution granting unto Valenta Platt Design Group, Inc., 2006 East Carson Street, Pittsburgh, Pennsylvania 15203, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a double-faced projecting sign over the sidewalk area of 2006 East Carson Street in the 17th Ward, 3rd Council District of the City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills? Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Prest)

AYES Eight NOES None

Bills have received the legally required number of votes and have passed finally.

MR. ONORATO PRESENTED:

Bill No. 1625:

Report of the Committee on Planning, Zoning and Land Use for May 5, 1999, transmitting two resolutions to Council.

Which was read, received and filed.
Also, with an affirmative recommendation.

Bill No. 1559:

Resolution providing for an Agreement or Agreements or Contracts, or use existing Agreement(s) or Contract(s), with consultants, vendors, and/or contractors for the purpose of planning and/or implementation costs of the Hazelwood Second Avenue Development Project and related costs in support of this project, at a cost not to exceed \$27,600.00.

Which was read.

Also,

Bill No. 1560:

Resolution providing for an Agreement or Agreements or Contracts, or use existing Agreement(s) or Contract(s) with consultants, vendors, and/or contractors for the purpose of planning and/or implementation costs of the Trail Development Project and related in costs in support of this project, at a cost not to exceed \$427,800.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills? Bills are now ready for final action. All in favor of the passage of the

bills vote aye when your names are called; all those opposed vote no.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Ferlo
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
	Mr. O'Connor
	(Pres't)

AYES Seven NOES None

Bills have received the legally required number of votes and have passed finally.

MS. MCDONALD PRESENTED:

Bill No. 1626:

Report of the Committee on Housing, Economic Development and Promotion for May 5, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1548:

Resolution providing for an Agreement or Agreements, with various community organizations for operational/administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh and further, authorizing various departments to enter into contract or contracts or use existing contract or

contracts for the purchase of equipment and/or furniture at a cost not to exceed \$1,182,175.00.

Which was read.

Also,

Bill No. 1549:

Resolution providing for an Agreement or Agreements with Community Based Organizations for community and economic development planning assistance in various neighborhoods in the City and providing operating support for these groups in an amount not to exceed \$900,000.00

Which was read.

Also,

Bill No. 1550:

Resolution providing for an Agreement(s) and Contract(s) with Consultant(s) and Vendor(s) to assist the City in improving its Citizen Participation Process and providing for the payment of the cost thereof, at a cost not to exceed \$215,000.00.

Which was read.

Also,

Bill No. 1551:

Resolution providing for an Agreement or Agreements or Contract or Contracts, or use of existing Agreements or Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of conducting planning and management studies, and related activities

in support of such studies including the purchase of data and data analysis equipment, at a cost not to exceed \$225,000.00.

Which was read.

Also,

Bill No. 1552:

Resolution providing for an Agreement or Agreements or Contracts, or use existing Agreement(s) or Contract(s) with consultants, vendors, and/or contractors for the purpose of planning and/or implementation costs of the Saw Mill Run Transportation Study Project and related costs in support of this project, at a cost not to exceed \$69,000.00.

Which was read.

Also,

Bill No. 1553:

Resolution providing for an Agreement or Agreements with the Urban League of Pittsburgh, for the implementation/ administration of the Housing Counseling Program, and related costs, in an amount not to exceed \$100,000.00.

Which was read.

Also,

Bill No. 1554:

Resolution providing for an Agreement or Agreements with various community organizations for operational/ administrative expenses, maintenance, purchase of equipment; and/or

rehabilitation of neighborhood facilities; and for administrative/operational costs, maintenance, purchase of equipment, and/or rehabilitation of neighborhood facilities of various departmental programs/projects for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$582,279.00.

Which was read.

Also,

Bill No. 1555:

Resolution providing for an Agreement or Agreements, in a form approved by the City Solicitor with the Jewish Healthcare Foundation, to provide administrative and operating expenses, housing and housing related supportive services to persons with HIV/AIDS and their families, at a total cost not to exceed \$491,000.00, chargeable to and payable from the HOPWA Trust Fund, 566100-2650-110000-H1999-2216302-1999.

Which was read.

Also,

Bill No. 1556:

Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1999 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature;

the deposit of the funds in a bank account and providing for the payment of expenses within categories.

Which was read.

Also,

Bill No. 1557:

Resolution amending Section 3 of Resolution No. 45, effective February 18, 1999, entitled Adopting a Tax Increment Financing Plan presented by the Urban Redevelopment Authority of Pittsburgh creating the Fulton Building Tax Increment Financing District, and making certain findings and by changing the date of creation. (Council District No. 9)

Which was read.

Also,

Bill No. 1558:

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to Acquire all of the City's Right, Title and Interest, if any, in and to the following Publicly-owned Property designated as Block 15-G, Lots 296, 297, 298, 303 and 304 in the 18th Ward City of Pittsburgh (Council District No. 3):

Which was read.

Also,

Bill No. 1578:

Resolution providing for an Agreement or Agreements with various organizations, for operational/administrative expenses, maintenance,

purchase of equipment, and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh and further, authorizing various City departments to enter into contact(s) or use existing contract(s) for the purchase and installation of equipment and/or furniture, at a cost not to exceed \$122,500.00.).

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Ms. McDonald:

Yes, Mr. President, I have an amendment before all Council members. I would like to make a motion to amend bill 1578 to delete the wording of Council District Nine and to replace that with five organizations, African American Chamber of Commerce, Sickle Cell Society, Big Brothers and Big Sisters, Robin Street, church families and youth 2000 and Waverly Presbyterian Church After School Program.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you, Mr. President. I still continue to be concerned about the Council appropriation for the community development corporations through the APPO funding stream. Despite the fact that all the organizations are worthy, there is no question in my mind that they are,

they certainly do a good job.

That is not the issue I am raising but rather, we continue to have limited resources. Albeit because of the no longer funding the Pittsburgh Partnership portion of this block grant we put it all into the APPO funding stream, my concern is that we still have a situation where there are too many community development groups that are seeking funding. And we don't have a big enough pot of money to actually award them with some annual funding.

I would say 80 or 90 percent of all the groups that have applied for the last six or seven years except for maybe a couple are basically the same groups that we have been funding for more than half a decade. And while they all do good work whether it be housing development, commercial development, direct services, advocacy in the community, all of which I applaud, I still believe that we should try to create an incentive for some of these organizations merging or trying to better define what the territorial service area is.

In my own district for instance in the Lawrenceville community. I had urged for a number of years that the Lawrenceville Development Corporation and the Lawrenceville Business Association merge and consolidate some expenses and actually work at a more concerted and strategic way to redevelop both the Butler Street Business Corridor. The retail as well looking at some of the housing needs and some of the needs of some of the larger manufacturing companies. So they have actually merged now and I still want them to get funded but I think there is a certain economy scale financially and also I think they work more strategic.

You have for instance on the North Side every neighborhood has their own separate funded group. You have less groups in the south and the western portion of the city and then the eastern portion within the river probably has disproportionately the largest number of different groups that get funded. And some groups are more effective in terms of direct results and some groups as far as I am concerned are less effective. They are well meaning, there was a need there. I am not commenting on that. The need is there, but that doesn't mean necessarily that the group has represented the need in terms of fulfilling some clear objective or getting some activities completed and I don't want to pick on any one group.

We all know that there are stronger groups and less effective groups and the like. I would ask since I have never been able to change this, and I don't think I will be able to change it now either, but come budget time I would ask since we increase the pot from roughly 500,000 to now 9 hundred thousand dollars, just increasing the pot now we like re-institutionalize and continue to just say it is all right to go out and work separately, we are going to just keep funding all these groups. I think we are sending the wrong message.

I would ask that between now and budget time and when we look to re-appropriate the CDBG budget of 2000, that we look at taking some portion of this money out and making some kind of a reward system for those groups that consolidate and maybe come up with a master plan. It doesn't make any sense. I will pick an example. For instance in my area, we have a very talented individual worked for Bloomfield, Garfield Corporation, now he's on the staff of the

ELDI; he's just a wonderful development person. Everyone in the eastern neighborhoods that I represent has a lot of faith and trust in him, but he is someone that we want to tap within the Highland Park Community to do development of housing in a court of Mellon Street and North Saint Claire and Portland.

We have talented people, which you see in Garfield Jubilee, I don't understand why we split all of these energies. I would rather see us fund a concerted group that has a coordinated and a strategic plan rather than all these separate groups doing their own thing.

I just don't think we're getting the most bang for the buck. I don't think we're getting the most done that we could be doing. We also have areas that are badly in need of intervention but we don't territorially have a community development group so what happens to those neighborhoods. I can go through the whole city and list those neighborhoods. I would just ask that we think about those issues between now and the budget time and not proposing that we change the APPO stream now. But I would like Council to maybe think about come time of the budget we engage in discussion with some of these groups about how we can better do business in the future.

Mr. Udin:

Yes. I unite with a good deal of the concerns that Councilman expressed. However there are a number of these groups that have heeded our cautions of the past and have taken steps to work together to merge, to work collaboratively on projects and that kind of activity is ongoing.

There is a committee in place that looks at these issues and other issues and Council members are encouraged to either attend the meetings themselves or send their staff. I know that Councilman Cohen's staff, I mean Councilman Ferlo's staff attends regularly. My staff attends regularly and there are opportunities for other Council members who are concerned to have staff attend but that is the workshop where this kind of ideas need to be placed and talked about.

I certainly will be glad to work with the Councilman's office between now and budget time to further refine how these groups work together. But they're major efforts now by the advisory groups that governs and reviews the proposals of these groups to try to make sure that the money is spread over all of the areas of the city that are eligible. That organizations that are worthy are included, that there is a democratic process, that there is technical assistance given to organizations to allow them to compete more effectively. Those kinds of things are ongoing and I would encourage Council members to continue to send their staff and to feed their ideas through this process rather than Council intervening with its own process.

The Chair:

Can I ask who runs that organization?

Mr. Udin:

It is out of-- it is a committee of the Planning Department because the monies are largely CDBG funds. The Planning Department manages for the city the entire CDBG grant, it's a subcommittee

within them, but the committee itself they staff the committee. But the committee is made up of a number of community-based organizations and community development corporations.

The Chair:

You're suggesting to go from 600 to 900 does that mean the rich get richer?

Mr. Ferlo:

The problem is there are a lot more groups out there than we have the ability to fund. There would be more groups I assume applying for funding this time because the pot is larger and some groups had initial support. That's kind of the implementation in planning and then they grow to be more funded to the tune of 30 or 35 dollars a year. But many of those groups now are in the pot money for the 30 or 35 thousand, so I don't know how we're naturally going to fund all these groups. I think we are creating some false anticipation or hopes that we're going to fund all these groups, we can't.

I appreciate Councilman Udin's concern but at some point I think Council needs to legislatively you know impose or suggest its policy concerns if indeed we have a concern. I maybe alone on this view, but I just think it has nothing to do with the groups or the need that's out there. That is great and the groups are worthy. The issue is how do we take limited dollars and make the most impact and is there a way for some of these groups to consolidate and work more effectively especially when it comes to housing intervening in the housing renovation and rehab activities.

The Chair:

I will certainly be interested in seeing how the mergers are working. I believe we have been talking about this for years and I haven't seen it although it maybe happening. Consolidating a lot of these groups because I hate to see some groups getting who have been getting 35,000 go to 60, and other groups not get anything.

Bills are now ready for final action. All those in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES **Eight** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

MR. FERLO PRESENTED:

Bill No. 1627:

Report of the Committee on Engineering and Construction for May 5, 1999, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1541:

Resolution providing for an Agreement or Agreements with the Korean War Veterans Association for costs associated with the construction of the Korean War Veterans Memorial to be located in Roberto Clemente Park at a cost not to exceed \$40,500.00.

Which was read.

Also,

Bill No. 1542:

Resolution further amending Resolution No. 976, effective January 1, 1996, as amended, entitled "Adopting and approving the 1996 Capital Budget and the 1996 Community Development Block Grant Program; and approving the 1996 through 2001 Capital Improvement Program," by reducing five (5) line items in Engineering and Construction's Budget for an aggregate amount of \$40,500.00 and creating a new line item entitled "Korean War Veterans Memorial" in the Mayor's Office Budget.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills? Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Udin	Mr. O'Connor
	(Pres't)

AYES **Eight** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

The Chair:

Thank you. Under motions and resolutions.

MOTIONS AND RESOLUTIONS

Mr. Udin:

Just as a point of order.

There was a request made I believe by Councilman Onorato several sessions ago or a weeks ago requesting that any negotiated collective bargaining agreements that should have come before Council prior to being signed and agreed upon would be investigated. And I would like to know what the result of that investigation is? There was reference, I believe, to a collective bargaining agreement that was signed with some city union, it may have been with white collar workers, I am not sure. But it was suggested that there was an agreement signed that was not a result of collective or arbitration but was negotiated and should have come before Council.

Mr. Onorato:

We haven't received it. It should come up through the normal legislation process and be presented as legislation through the appropriate committee. So it hasn't been done as far as I know.

The Chair:

You want to send a request to them.

Mr. Udin:

To the Solicitor.

The Chair:

To the solicitor, to update us.

Mr. Udin:

Yes.

The Chair:

Anything else?

Mr. Ferlo:

I know we have an upstairs judge who has been very irate about the elevator change. I would only tell that judge if he wants to issue an injunction, could he please issue it to the county government who for the last 12 years that I have been in this building, at least the last eight years I have been in this building, has not had three operating elevators on the county side to the Ross Street entrance way. So if he wants to intervene, I would ask him to please contact the county and order them to fix after a decade there are three back elevators so that people can get up to six, seven, eight and nine. Or even have those three back on the Ross Street county side be dedicated elevators to the six floor

family division if that makes more sense.

But to blame us because we are trying to better manage and fix up this building now because he has to spend a little more time getting up to his floor is his problem. So if he wants to issue an injunction, please tell him to take the action against the county government who has been totally remiss through two administrations in not providing for health and welfare and safety by totally shutting down their three back elevators of Ross Street. If they would fix and open their elevators, the building would be a lot better off and it would be safer.

So to that good judge, Judge Jaffey actually and he's an old friend of mine, but I would ask him to please intervene but intervene in the right way. Don't take a cheap shot at Council trying because we are trying to expedite and make some rhyme or reason to the elevator flow.

Secondly, I do want to invite my colleagues, we are breaking ground on this coming Thursday with the Mayor at six p.m. It has been a long struggle in Garfield trying to get a new children's playground. And we have a playground that we are going to be building at the corner of Broad and Evaline Street in Garfield at 6 o'clock this coming Thursday. You are all invited to come down and say Hello to the kids. And I have introduced a resolution asking that we consider naming this playground the Nelson Mandela Peace Park, which I will talk about tomorrow. Thank you, Mr. President.

The Chair:

My calls on the elevators, maybe

they were shocked to hear I thought that was one of the best ideas I had heard in Council for quite awhile. I have directed them to meet with Guy Costa and exactly the follow up you said. The three elevators on the county side haven't worked for years. So, I hope that will amend their problems.

Mr. Hertzberg:

I don't want to -- I am not sure how severe the problem is but I know no matter what you do on Ross Street it won't help the sixth floor. The sixth floor is the only place where there are metal detectors in the building. And so they are all funneled up through the entrance on this side on the Grant Street side.

Mr. Ferlo:

I understand, but if they had three and if they wanted to dedicate them on the Ross Street to family division on six they could have the machinery moved to that entranceway. It's up to the county to intervene and provide some leadership to the court system for proper flow of traffic and security.

The Chair:

Plus one of ours still goes to nine.

Mr. Ferlo:

Well, we also gave them one back. So, I don't see what he is complaining about. And if he is complaining, he is complaining to the wrong -- singing to the wrong choir.

The Chair:

You're right. I would like to request a Post Agenda Friday the 14th at ten a.m. for discussion on the gun bill, specifically gun safety guidelines be televised.

MR. FERLO moved to adopt.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

I would like to announce we have a Public Hearing Thursday at ten a.m., approval of conditional use on Wilkins Avenue. Next Tuesday or our next Tuesday meeting is Election Day we will move our legislative meeting to Monday at ten o'clock.

Also I would like to commend and congratulate the PACT, the police and community together function last Saturday. They drew over 7,000 people to the Three Rivers Parking lot. A special thanks to Officers Frank Rende, who is the President, Gene Grattan the Vice President. Mr. Diven you were certainly very instrumental in starting that. I want to thank Sheriff Defazio and DA Zappala, it was a wonderful day. And like I say 7,000 people showed up to meet our police officers and I think it was certainly a step in the right direction to thank all of you who were there.

Mr. Diven:

I would like to point out it was on Page B five of the region section. They do something nice and they get the buried in the back pages of the newspaper and

something bad happens it is front-page news.

The Chair:

Again, Standing Committee Meeting will be held Thursday. I didn't realize that. Next week's meeting will be held Thursday instead of Wednesday, Standing Committee May 20th at 10 a.m.

MR. FERLO moved to adopt.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Again, I would encourage everyone to get out and vote next Tuesday. Very, very important election.

Can I have a motion to approve the minutes?

MR. HERTZBERG moved to approve the minutes.

MR. COHEN seconded the motion.

Which motion prevailed.

MR. HERTZBERG moved to adjourn the meeting.

MR. DIVEN seconded the motion.

And on the motion made by Mr. Hertzberg, the meeting adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXIII

May 17, 1999

No. 20

Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLERCity Clerk
JOHN R. MASCIODeputy City Clerk

Pittsburgh, PA
Monday, May 17, 1999

PRESENT:

Mr. Cohen	Mr. Hertzberg
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Ms. McDonald
	(Pres't Pro Tem)

ABSENT:

Mr. Ricciardi
Mr. O'Connor
(Pres't)

The Chair:

I want to announce that Councilman Onorato will be running late. He is attending his daughter's preschool graduation, which is extremely important, but he knows his priorities. But he will be here shortly. He wanted to make sure that the public is aware he's not campaigning,

he's taking care of real business.

We will now have our pledge of allegiance. We have with us Tanis Wallace, who is twelve years old. She is in the fifth grade at Beltzhoover Elementary School. She is accompanied by her Principal Laverne Anthony and she's in Councilman Gene Ricciardi's District, District three.

Tanis Wallace:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you. We will now go to read and adopted resolutions.

PRESENTATIONS

Mr. Diven:

I would like to call up the members of our EMS Bureau to recognize them for this week as EMS Week.

First of all we would like to thank you for the hard work that you have done in the past to keep the City of Pittsburgh safe. I know that it is timely there was some negative reports by the EMS. We did want to make sure that you guys knew that Council in the City of Pittsburgh appreciate the job you do every day. I think a lot of people go to bed at night

knowing that they're safe because we have such a professional and dedicated EMS force on call 24 hours a day and available.

So with that I will read the proclamation that was presented.

MR. DIVEN PRESENTS:

No. 1628 WHEREAS, the members of the Bureau of Emergency Medical Services devote their lives to saving the lives of others and;

WHEREAS, Emergency Medical Teams consist of Paramedics, Emergency Physicians, First Responders and Telecommunications Officers and;

WHEREAS, the Fraternal Association of Professional Paramedics promotes the improvement of pre-hospital medical care through practice, research and community service and;

WHEREAS, the people of Pittsburgh benefit daily from the knowledge and skills of these highly trained individuals and;

WHEREAS, this being the 24th anniversary of the Pittsburgh Paramedics in making tomorrows happen for our residents and;

WHEREAS, the designation of Emergency Medical Services Week will serve to educate the people of Pittsburgh regarding Emergency Medical Services.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and commend the good work of the Emergency Medical Teams.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare the week of May 17 through May 21, 1999, as "Emergency Medical Services Week" in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Diven:

With that, I would like to call up Chief Kennedy to explain some of the things going on and accept the proclamation.

Chief Kennedy:

This is my 13th year accepting this proclamation from Council and I would like to thank every one of you for your support especially at budget time since that will be here again really quickly. And so I would really like to thank you for your support. I think based on some of the events from last week, I would like to point out that the paramedics, there are 162 that they answer approximately 60,000 calls a year, out of that they transport approximately 40,000.

And I think being in the field of pre hospital medicine there is a desire on the administration's part and the field paramedics to be perfect all the time, and that's quite a task. But I think the amount of complaints that your office would receive about us I think are minor

compared to the number of calls that the gentlemen and the women of the paramedics answer each and every day.

So again, I would like to thank you on behalf of all of the men and women of the Bureau of Emergency Medical Services for this proclamation today. And I must mention that EMS Week is 25 years old. President Ford designated this week to be EMS Week 25 years ago and we have been in existence 24, since 1975. So next year will be another milestone for us. I thank you again very much for the proclamation.

Mr. Diven:

Thank you, Chief. At this time I will call up the President of the Fraternal Association of Professional Paramedics, Mr. Mark Snyder, for some comments.

Mr. Snyder:

Thank you. I also would like to accept this for the paramedics and men and women who serve the city and the citizens. We work six days on, two days off and there are only 13 ambulances.

To give you some real quick facts, there are more refuse drivers than there are paramedics and in one shift a fire department that is more than our whole department. We work really hard for you and we really love our job and really love taking care of people. It's taken its toll and with the new EMT initiative hopefully it will be an even better service that we can provide the highest quality of service continually and actually recognizing the paramedics.

An interesting concept is when I

first started this job back 20 years ago, computer processing and computers were a thing of the future well so were paramedics. We were considered a luxury. We are no longer a luxury, we are a necessity. You might need the Fire Department, you might need the Police Department, but I guarantee you, you will need EMS. Whether you are an older person who might have a heart attack, or a younger person falling off a playground fun tool, it's a situation of EMS is part of your lives more than you know it until you need it. And it is so neat to go on calls now as a paramedic and have some little lady tell me she is grateful for me taking her ten years ago with a heart attack and she is doing really good and she looks pretty spry to me.

So thank you again and we appreciate it the men and women who actually provide the service. Thank you.

Mr. Diven:

I would also like to just point out that the learning channel is actually spending some time in the City of Pittsburgh for a show that they have called the Paramedics. Where they are taking ride a longs with our medics and going with them and documenting what they do day-to-day. So I think that's a pretty big honor for the City of Pittsburgh, because of the national reputation that we have for excellence in the field of Emergency Medical Services.

So thank you for keeping that tradition so high and for bringing in the national exposure like the learning channel to the City of Pittsburgh. So thank you.

Mr. Hertzberg:

Would the delegation that is involved with West End Park, the individuals from the Elliott, West End Citizens Council and Carnegie Library, Partners and Parks please come forward.

This proclamation is all about a city park called West End Park and it is a park that has a lot of history to it but not too many people know how to find it. Now if you were on City Council back in 1994 and you were unfortunate enough to drive up Walbridge Street, when I led Council on that tour when the road was rutted and pitted, at the very top of Walbridge Street is where you find West End Park. At the intersection of Walbridge, Hershel and Kerr Street in the West End.

We have a group of neighborhood activists who are going to get involved in doing something for this historic park. Let me read the resolution because it tells you some of the history of this wonderful park.

MR. HERTZBERG PRESENTS:

No. 1629 WHEREAS, West End Park, is located in the 20th Ward of the City of Pittsburgh, and was first dedicated as a City Park in 1895; and

WHEREAS, West End Park is a rustic jewel of a park, with 17 1/2 acres of steep terrain laced with fieldstone retaining walls unique among Pittsburgh's parks, and

WHEREAS, In the early years of the park, it was known as one of the most attractive and best planted of any of the City's small parks largely due to Neil McCallum, a knowledgeable landscape

gardener from London, who was foreman of the park from 1908 until 1924; and

WHEREAS, at one time West End Park contained a farmhouse, which housed the foreman, an old picnic shelter constructed in 1900, an octagonal bandstand and new picnic shelter constructed in 1913, a fish pond, artistically arranged flower beds, a rock garden and many winding pathways; and

WHEREAS, through the years, West End Park was the center of many community activities, including use of a one-third mile track built shortly after 1900 by citizens of the community for running their horses and sulkys for amusement; and

WHEREAS, on Saturday, May 22, 1999, under the leadership of Keith Cochran, who lives near the park, and the direction of Dennis Meyer, of Partners in Parks, a group of 30 West End citizens and Pittsburgh Cares will spend the day cleaning up the park; removing fallen trees from the June 2, 1998 tornado, clearing the overgrown trails, repairing the walls and walkways.

NOW, THEREFORE, BE IT RESOLVED, that the Council commends the groups for their outstanding efforts, and declares Saturday, May 22, 1999 West End Park Clean-up Day in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

Thank you very much. As you heard in this proclamation we actually at this point in 1908 were recruiting foremen for our parks. This individual was a native of London and I think at the time they recruited him he was working in Canada, and our Director of Parks went out and recruited someone to be the foreman of this park which was a beautiful park then.

It is not quite what it used to be, I can tell you that from firsthand experience, but it is still a beautiful park and a number of individuals are here to try to bring it back to what it once was.

I think we probably can. Matt Hogue is here. Matt, Thank you. Matt is in the 9th grade and he is a resident of Elliott and he is committed to helping out. Norene Beatty, who is the President of the Elliott West End Citizens Council is here. Myrna Antonio-Hall of Partners and Parks, thank you, Myrna. Dennis Meyer, Partners and Parks and Keith Cochran who really got the ball rolling on this, he lives near Bion Curr Street. Thank you, Keith. Anita Rekasi, who is new at the Carnegie Library, and the Carnegie Library houses all the historical memorabilia on this park and they were a big help in researching some of the history.

Noreen, would you like to say a few words?

Ms. Beatty:

First, I would like to thank City Council for recognizing the West End Park. Just a little bit more about the West End Park. It has been the heart of our community for many years. We had our

annual Fourth of July celebration there and everyone brought their picnic baskets and we had entertainment. But as people become more accustomed to traveling outside the city that went by the way side with the thinness of the West End board of trade.

But it still is one of the busiest little parks in the city, our new pavilion that the city built there is rented, if you want it you get in line very early to get it. It is a very nice facility and we thank the city for it.

The bandstand could use a little bit of repairs and we hope we can see to that. It is just a great place and we hope that sometime you will all take time to come and visit it. We are very proud of it and we thank you for refurbishing it and also the playground last summer, which hadn't been refurbished in over 40 years.

So I think today I am here more to say thank you than anything else for the community. Thanks.

The Chair:

Thank you.

**MR. UDIN AND MS. MCDONALD
PRESENT:**

No. 1630 WHEREAS, on Saturday, May 15, 1999, Dr. Jerome Taylor will be honored by his colleagues, friends, and family for three decades of service to children and families, particularly African Americans and the poor, who face the steepest odds in our society; and

WHEREAS, Dr. Taylor has invented and-through the University of Pittsburgh Institute for the Black Family and the Center for Family Excellence, Inc.-has implemented a holistic approach to values-based parenting and education that grew out of the expressed needs and desires of the families he serves; and

WHEREAS, Dr. Taylor's "Values for Life" model has been successfully infused into prevention, family preservation, family reunification, child care, and Head Start programs throughout Pittsburgh and Allegheny County and has been recognized by the Commonwealth as an exemplary service; and

WHEREAS, "Values for Life" is now incorporated into the curriculum of McKelvy School, where the principal, teachers, parents, and community residents are creating "The Village at McKelvy"; and

WHEREAS, Dr. Taylor, who received the Ph.D. degree in clinical psychology from Indiana University and completed a post-doctoral fellowship in child and adolescent psychology at the Menninger Clinic, has made significant contributions to the professional literature through his own writing and as consulting editor and reviewer for scholarly journals, and has guided scores of students through their studies and research for master and doctoral degrees; and

WHEREAS, in all of his endeavors, Dr. Taylor has succeeded in mobilizing all of us-in government, academia, private philanthropy, and the church-to strengthen families and help young children grow into adults who are loving and respectful of others and of

themselves, who are committed to learning, and who are self-confident, self-persistent, and self-reliant.

NOW, THEREFORE BE IT RESOLVED, the Council of the City of Pittsburgh joins the community in honoring Dr. Jerome Taylor for the many ways in which he has helped to make Pittsburgh the "village" it takes to raise a child.

MR. UDIN moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MS. MCDONALD PRESENTS:

No. 1631 WHEREAS, St. James A.M.E. Church, located in East Liberty will celebrate their Annual Women's Day on Sunday, May 16, 1999 during their Worship Services; and

WHEREAS, this years theme is "Building Bridges with Jesus Through Prayer and Praise with Power". This story tells of a woman with a physical infirmity who was bent, twisted and tire from her condition. In the study she is likened to a tireless mother, housewife, superwoman and career woman of today. She sought out Jesus one Sunday and was healed and liberated from her condition; and

WHEREAS, the Women's Day guest speaker will be Sister Edith Campbell. Sister Campbell is a native of Pittsburgh, who was raised in Sixth Mount Zion Church. Sister Campbell is a nationally known speaker, excellent musician, soloist and a recently retired educator; and

WHEREAS, included in the day of worship will be a fellowship reception and an Inspirational Concert at 4:00 p.m. under the direction of Mrs. O'Labrice Casson Beckom; and

WHEREAS, this years chairpersons are Mrs. Vivian M. Lane and Mrs. Marsha J. Washington.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends the Women of St. James A.M.E. Church for another enlightened year of worship through the message "Building Bridges with Jesus Through Prayer and Praise with Power".

Also,

No. 1632 WHEREAS, on Saturday, May 15, 1999 the East Liberty Presbyterian Church will host the UMO Jazz Orchestra of Finland in concert, a leading European jazz orchestra; and

WHEREAS, the UMO Jazz Orchestra was formed in 1975 by a group of Finnish jazz musicians. UMO operated for several years as a part-time big band in its hometown of Helsinki until it was put on a professional footing in 1984; and

WHEREAS, today UMO is acknowledged as one of leading big bands in Europe, and the outfit has made a great contribution to the promotion of Finnish music both home and abroad; and

WHEREAS, the UMO members represent the cream of the country's jazz musicians and the orchestra provides upcoming Finnish artist with a permanent

hands-on academy for jazz and light music.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends East Liberty Presbyterian Church and UMO Jazz Orchestra for expanding the musical horizons in the City of Pittsburgh.

BE IT FURTHER RESOLVED, that the Council in the City of Pittsburgh recognizes and declares Saturday, May 15, 1999 as "UMO Jazz Orchestra Day" in the City of Pittsburgh.

Also,

No. 1633 WHEREAS, on May 15, 1999, the Pittsburgh Chapter of the National Black MBA Association will host its Annual Scholarship and Awards Banquet at the Manchester Craftsman's Guild; and

WHEREAS, the guest speaker this year will be Donald Marbury. Mr. Marbury is a former WQED television personality, a world traveler, and a former executive with the Corporation for Public Broadcasting. As a former journalist and now a Master of Divinity student, Mr. Marbury brings a unique perspective; and

WHEREAS, this year's Community Service Award recipients are Reverend Jason A. Barr, Jr., Pastor of Macedonia Baptist Church and Dr. James and Pamela Johnson of the Afro-American Music Institute; and

WHEREAS, this year's Female Entrepreneurs Award recipient will be Weida Tucker of W.G. Tucker and Associates and the Male Entrepreneurs Award recipients will be J.T. Thomas and

Larry Brown, owners and operators of Applebee's Restaurant; and

NOW, THEREFORE BE IT RESOLVED, that the Council in the City of Pittsburgh recognize and commend the National Black MBA Association, Incorporation, Pittsburgh Chapter for their outstanding community involvement and for giving our youth a brighter tomorrow.

MR. COHEN moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

That completes our read and adopted, we will now open the floor for public comments. Is there anyone in the audience who would like to speak to Council? You have three minutes to testify. Please state your name and address for the record.

PUBLIC COMMENTS

Ms. Brown:

Yvonne F. Brown. I live at 2633 Brackenridge Street that's in the Hill District.

The man has gone behind the dollar. The poor students have been denied their constitutional rights by the Pittsburgh Public School system under the direction of Ronald Suber. Because of that, as a parent I am telling all the parents we must get out and vote for Mark Brentley. Ron Suber and his six -- there are Ron Suber and six white women that

have continuously denied equal opportunity to our children. Now I have nothing against the six white women but these six seem to have something against the poor students, which are 50 to 60% black children and the majority are poor.

I come here before you even though I feel that a lot of times the Council members different Council members are very abusive towards me. But I feel that the creator has instilled it in me that I come before you and remind you that God made us all in his image even though some may be of different colors. You must remember that there has been a gross injustice inflicted upon the children, the youth, the community members and parents of the poor. The parents are not given equal opportunity by the media to be reported, to give their concerns. Be it TV reporters Andy Sheehan, Darieth Chisolm, the Tribune Review, heavy set white woman that is usually in the chamber, they are not by far the only reporters that have refused to allow the spoken or written or video tape message to be heard or seen.

I still have questions about how the City County meetings are being televised improperly. The Pittsburgh public needs to know that black contractors are being discriminated against by a white out of town company that has been granted the right to do all constructions here in this City of Pittsburgh for the Housing Authority. I am only beginning to find out about these contracts but how many more have been denied the opportunity for gainful employment.

I come today because the children at South Votech High School asked me to speak to them. The board has made the decision to put \$100,000 turf behind the

school and they are trying to tear this one down. We as parents in the community are saying make South Votech a historical site.

Also the board has continually discriminated against the poor children. Let's use the example of the woman Margaret Millions did not have a music instructor yet Frick with international was given three. What about when they built the school, \$2.5 million for all white children except five, and our children in Homewood were cold. Children we -- parents we must come out in full force. Thank you.

The Chair:

Is there anyone else who would like to speak to Council? You have three minutes. If not, thank you.

We will now move to presentation of papers.

PRESENTATION OF PAPERS

MR. DIVEN PRESENTED:

No. 1634 An Ordinance amending the Pittsburgh Code, Chapter 161: Contracts, Section 161.21, Acquisition and Disposal of Animals and Plants at the Zoo, Aviary and Phipps Conservatory, to delete reference to the acquisition and disposal of Animals and Plants at the Zoo, Aviary, and Phipps Conservatory and to permit the Director of the Department of Public Safety to purchase canines and horses and to establish rules and regulations for such acquisition and disposal of police animals.

MR. DIVEN moved to suspend Rule 8 by providing for consideration of the bill until or after the 8th calendar day following the

meeting in which the bill was introduced so the bill will be on the agenda this Thursday.

MR. COHEN seconded the motion.

Which motion prevailed.

Also,

No. 1635 Resolution providing for a Contract or Contracts or Agreements or Agreements; or the use of existing Contracts or Agreements for the purchase of supplies, equipment and services for the Bureau of Police at a cost not to exceed \$200,000.00.

Which were read and referred to the Committee on Public Safety Services.

MR. HERTZBERG PRESENTED:

No. 1636 Resolution further amending Resolution No. 140 effective March 18, 1999, entitled "providing for a Contract or Contracts, or the use of existing Contracts for street resurfacing programs to include but not limited to ultra thin hot mix asphalt, hot mix asphalt, crack sealing, sawing and sealing, nova chip, flexible pavement, asphalt milling, truck rental, brick and blockstone repairs, handicap ramps, concrete slab replacement at various locations throughout the City of Pittsburgh, at a cost not to exceed ~~Six Million Fifteen Thousand Dollars (\$6,015,000.00)~~ Four Million Eight Hundred Fifteen Thousand (\$4,815,000.00), chargeable to and payable from Fund 5100, Org, 400000, Sub-Class PGHPR, Project 2239000, Budget Year 1999, Citywide Resurfacing, Department of Public Works and Two Million Dollars (\$2,000,000.00) from the General Fund, Fund 1000, Budget year 1999.

No. 1637 Resolution further amending Resolution No. 141 effective March 18, 1999, entitled, "providing for a Contract or Contracts, or the use of existing Contracts for street resurfacing programs to include but not limited to ultra thin hot mix asphalt, hot mix asphalt, crack sealing, sawing and sealing, nova chip, flexible pavement, asphalt milling, truck rental, brick and blockstone repairs, handicap ramps, concrete slab replacement in CD areas throughout the City of Pittsburgh, at a cost not to exceed ~~Two Million Nine Hundred Sixty One Thousand, Six Hundred Three (\$2,961,603)~~ Dollars Two Million One Hundred Sixty One Thousand, Six Hundred Three (\$2,161,603.00), chargeable to and payable from Fund 2610, Org. 400000, Sub-Class C1999, Project 2239000, Budget Year 1999, Citywide Resurfacing, Department of Public Works.

No. 1638 Resolution Providing for a Contract or Contracts, or the use of existing Contracts for renovation and rehabilitation of war memorials at various locations throughout the City of Pittsburgh, at a cost not to exceed Sixty Nine Thousand (\$69,000.00) Dollars, chargeable to and payable from Fund 5100, Org. 400000, Sub-Class PGHPR, Project Number 2238450, Budget Year 1999, Department of Public Works.

Which were read and referred to the Committee on Public Works, Water & Environmental Services.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the

bills were introduced so the bills will be on the agenda this Thursday.

MR. FERLO seconded the motion.

Which motion prevailed.

MS. MCDONALD PRESENTED:

No. 1639 Resolution Amending Resolution No. 29, effective 2/7/97 as amended by Resolution No. 106, effective 3/21/97, as amended by Resolution No. 301 effective 6/6/97, as amended by Resolution No. 503, effective 8/11/97, as amended by Resolution No. 643, effective 10/24/97, as amended by Resolution No. 303 effective 6/12/98, entitled: "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1997 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories" so as to reprogram funds in City Council, at a total of \$22,323,000.00.

No. 1640 Resolution Amending Resolution No. 297 effective June 12, 1998 entitled: Providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or rehabilitation of neighborhood facilities; and for administrative/operational costs,

maintenance, purchase of equipment, and/or rehabilitation of neighborhood facilities of various departmental programs/projects for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$525,545.00, chargeable to and payable from the 1998 Community Development Block Grant Program, Mayor's Office, so as to delete a project (Korean's War Veterans Monument) and adding a project (Bloomfield Preservation & Heritage Society).

No. 1641 Resolution Amending Resolution No. 295 effective June 6, 1997, as amended by Resolution No. 669 effective October 31, 1997 entitled: "Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,105,350.00, chargeable to and payable from the 1997 Community Development Block Grant Program" so as to reduce project Northside Public Space Improvements (-\$15,000) and add project Bloomfield Preservation and Heritage Council (+\$15,000.00)

No. 1642 Resolution Amending Resolution No. 291 effective June 1, 1998 as amended by Resolution No. 362, effective June 25, 1998 and Resolution No. 453 effective August 19, 1998 and Resolution No. 8 effective January 28, 1999, entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1998 Community Development

Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories", so as reprogram funds in the Mayor's Office, at a total of \$21,181,000.00.

Which were read and referred to the Committee on Housing, Economic Development & Promotion.

MR. ONORATO PRESENTED:

No. 1643 An Ordinance Amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 902, Section 902.03.A Zoning District Map Nos. 12 and 17 by changing from "R2" ("RT-2) Two Family Residence District and "R3" ("RM-3") Multiple Family Residence District to "RP" Residential to Planned Unit Development District all that certain property bounded by Murray Avenue, Forbes Avenue, Lot 304 Block 86-F in the Allegheny County block and Lot System, Lot 158 and 201, Block 86-G in the aforesaid system, 14th Ward.

Which was read and referred to the Committee on Planning, Zoning & Land Use.

MR. RICCIARDI moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Thursday.

MR. HERTZBERG seconded the

meeting.

Which motion prevailed.

MR. RICCIARDI PRESENTED:

No. 1644 Resolution Authorizing the issuance of a warrant in favor of the Sheraton Hotel Station Square in an amount not to exceed Six Thousand Eight Hundred Twenty-six Dollars and Thirty Cents (\$6,826.30) for the Citiparks Senior Interests Program Volunteer Recognition Gala; and providing for the payment thereof.

Which was read and referred to the Committee on Finance and Budget.

MR. UDIN PRESENTED:

No. 1645 Resolution authorizing the City of Pittsburgh to issue a quit claim deed for property in the 6th Ward of the City of Pittsburgh, designated as Block 48 R, Lot 25, to Exxon Corporation for the sum of \$70,000.00.

Which was read and referred to the Committee on Finance and Budget.

The Chair:

That completes our presentation of papers.

Move to unfinished business. Is there any unfinished business to come in front of Council?

We will now move to Committee Chair Reports. My understanding and I need confirmation from Councilman Ferlo and Councilman Udin that there will not be Chair Reports for this meeting?

Mr. Udin:

Right.

The Chair:

Thank you, that will be scheduled at another time. We will now move to Reports of committees.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1646:

Report of the Committee on Finance and Budget for May 12, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.
Also, with an affirmative recommendation.

Bill No. 1582:

Resolution providing for a contract or contracts for professional services with Grant Street Advisors, Inc. to provide financial advisory services for the years 1999, 2000 and 2001, at an annual cost not to exceed \$250,000, an aggregate amount not to exceed \$750,000, chargeable to and payable from Account 583000, Fund 5100, Organization 106000, sub-class PGHPR, BY 1999, Project # 2209990.

Which was read.

Also,

Bill No. 1583:

Resolution providing for conveyance by the City of certain property,

under Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act" effective December 11, 1984, having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program.

(A) 120 N. Pacific Avenue, 10th Ward, Block 50L, Lot 293, being sold to Quang Vo. Vacant lot containing an area of 1,039 sq. ft, \$100.00. Intended Use: Additional yard space. (Council District 7).

(B) 706 N. St. Clair Street, 11th Ward, Block 83F, Lot 271, being sold to Charles Fedel. Vacant lot containing an area of 3,296 sq. ft, \$100.00. Intended Use: Additional yard space. (Council District 7).

(C) 536 Susquehanna Street, 13th Ward, Block 174N, Lot 145, being sold to Alonzo T. Wilson. Vacant lot containing an area of 2,453 sq. ft, \$100.00. Intended Use: Additional yard space. (Council District 9).

(D) 966 Manton Avenue, 18th Ward, Block 14C, Lot 382, being sold to Laurette DeBold. Vacant lot containing an area of 1,888 sq. ft, \$100.00. Intended Use: Additional yard space. (Council District 3).

(E) 1702 Hunnell Street, 24th Ward, Block 47P, Lot 243, being sold to Phillip & Margaret Bollenbacher. Vacant lot containing an area of 2,409 sq. ft, \$100.00. Intended Use: Additional yard space. (Council District 1).

(F) 1830 ½ Viruth Street, 27th Ward, Block 114L, Lot 288, being sold to

Jeffrey R. & Suzanne P. Knauss. Vacant lot containing an area of 735 sq. ft., \$100.00. Intended Use: Additional yard space. (Council District 1).

Which was read.

Also,

Bill No. 1584:

Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, known as Lien Excluded Properties acquired at tax sales, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

(A) 502 Jacksonia Street, 25th Ward, Block 23J, Lot 67, being sold to PHASE. Two story brick house situated on a lot containing an area of 1,760 sq. ft., \$1,000.00 + Costs. Intended Use: Part of Alpine II project. Council District 6.

(B) 2148 Perrysville Avenue, 25th Ward, Block 46P, Lot 162, being sold to PHASE. Two story frame house situated on a lot containing an area of 3,182 sq. ft., \$1,000.00 + Costs. Intended Use: Future development. Council District 1.

(C) 1718 Columbia Place, 25th Ward, Block 23E, Lot 344, being sold to PHASE. Vacant lot containing an area of 900 sq. ft., \$100.00 + Costs. Intended Use: Rear yard to 1721 Buena Vista Street Project. Council District 6.
Which was read.

The Chair:

You have heard the reading and

title of the bills, is there any discussion on the bills?

Mr. Udin:

Regarding Bill 1582, this is the legislation for the Grant Street advice that the city's financial advisors -- there was certain information that was requested from the Finance Department, which has not been fully received. So in addition to what the Council expected the excerpt of the contract that had the scope of services with the language defining the scope of services. But instead we got some kind of list of options of scope of services, which is very confusing at least to the Chairman of the Finance Committee.

And so in order to avoid defeat of this legislation, I move for recommitment of Bill 1582.

MR. FERLO seconded the motion.

The Chair:

Any discussion on the recommitment?

All in favor?

Which motion prevailed.

Bill is now recommitted.

The Chair:

Any other discussion on any of the remaining bills? If not, the bills are now ready for final action. All in favor of the passage of the bills vote any when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Mr. Ricciardi	Mr. Udin
	Ms. McDonald
	(Pres't Pro Tem)

AYES **Seven** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

MR. HERTZBERG PRESENTED:

Bill No. 1647:

Report of the Committee on Public Works, Water and Environmental Services for May 12, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1545:

Resolution granting unto Shah Chinulal Mafatlal, 5165 Butler Street, Pittsburgh, Pennsylvania 15201, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a handicap ramp on a portion of the sidewalk area of 5165 Butler Street in the 10th Ward, 7th Council District of the City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill? If not, the bill is now ready for final action. All in favor of the passage of the bill vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Mr. Ricciardi	Mr. Udin
	Ms. McDonald
	(Pres't Pro Tem)

AYES **Seven** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

MS. MCDONALD PRESENTED:

Bill No. 1648:

Report of the Committee on Housing, Economic Development and Promotion for May 12, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1580:

Resolution providing for the execution of a Cooperation Agreement or

Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1999-2000 Community Development Block Grant Program, and providing for the payment of the cost thereof, not to exceed \$8,401,263.00. (Council Districts: All). --
-(PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

If not, the bill is now ready for final action. All those in favor of the passage of the bill vote aye when their name is called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Mr. Ricciardi	Mr. Udin
	Ms. McDonald
	(Pres't Pro Tem)

AYES **Seven** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

MR. RICCIARDI PRESENTED:

Bill No. 1649:

Report of the Committee on Parks, Recreation and Youth Policy for May 12, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1606:

Resolution authorizing the Mayor and Director of Parks and Recreation to name the Playground at Broad and Evaline Streets in Garfield, constructed at Block and Lot Numbers 50-L-184 and 50-L-187 in the 10th Ward, to be the "Nelson Mandela Peace Park". **(SPONSORED BY MR. FERLO).**

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill? If not, the bill is now ready for final action. All in favor of the passage of the bill vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen
Mr. Ferlo
Mr. Ricciardi

Mr. Diven
Mr. Hertzberg
Mr. Udin
Ms. McDonald
(Pres't Pro Tem)

AYES Seven NOES None

Bills have received the legally required number of votes and have passed finally.

MR. DIVEN PRESENTED:

Bill No. 1650:

Report of the Committee on Public Safety Services for May 12, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1577:

Resolution providing for a Contract or Contracts; or Agreement or Agreements, or the use of existing Contracts or Agreements for the purchase of a document imaging system for the City-County Integrated Identification Program, Department of Public Safety, at a cost not to exceed \$85,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill? If not, bill is now ready for final action. All those in favor of the passage of the bill vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Mr. Ricciardi	Mr. Udin
	Ms. McDonald
	(Pres't Pro Tem)

AYES Seven NOES None

Bills have received the legally required number of votes and have passed finally.

The Chair:

That completes our reports of committees. Now move to motions and resolutions. Any discussion?

MOTIONS AND RESOLUTIONS

I have something. I have a couple of things. One is there will be a Post Agenda meeting this Thursday, May 20th, at two o'clock p.m.. It is requested and will be Chaired by Councilman Sala Udin, Chair of the Committee on Finance, for discussion of the City's Comprehensive Annual Financial Report for 1998 often times referred to as the CAFR.

The Standing Committee Meeting which is typically held on Wednesday will be held Thursday, May 20th, at ten o'clock a.m.

I just want to while I got the podium, I wanted to announce an initiative that I will be sponsoring in my Council District and I am hoping that one day that I will be able to join with others that maybe a group can sponsor this. But it is called Winners Make a Difference and it is to try to mobilize the African American votes in

our community which typically has a lower voter turn out.

What I am doing is I am going to raffle off prizes for voters who actually get to the polls in the district that has the greatest percent increase in voter turn out in African American communities from the last primary election. So we will compare this one to the last one. Whoever has the greatest percent that district will be the -- those voters will be issued raffle tickets. And I am going to ask all the winning candidates to help support this initiative by donating prizes, in kind support, financial support. We will have a reception some time in June for all the winning candidates. It will be more like a rally, but it will be the district, the African American District or the low turn out district that has greatest percent increase.

I am hoping maybe it can double if someone feels there is an incentive maybe they will drag a neighbor with them or drag their son with them that always sits there, he is registered to vote but he doesn't get out or she doesn't get out to drag him with them hoping that maybe they will be able to benefit. And there is going to be some I would say nicer quality prizes and this will start now.

So I am hoping everyone gets out to vote. I urge everyone to vote. Tomorrow is the primary, polls open at 7 o'clock a.m. They do not close until 8 o'clock p.m. I urge you to get out and vote. Is there any discussion on that?

Mr. Udin:

Not on that. But just to expand it if I may. I want to congratulate Councilwoman McDonald in urging the

voters in her district to turn out. I think that some of the negative advertising in this campaign has sickened most Pittsburghers that I talk to. I think that the people who are behind the negativism are hoping that they will discourage people from turning out to vote. I think that they think they can win with a lower voter turnout because people will be so sickened and disgusted with the negativism. But I hope that it will inspire people to rise above the negativism and send a message to the people who are putting out this kind of gruesome negative advertising. I hope it will inspire them to go to the polls with even stronger commitment and veracity to vote against those who put out that kind of smear tactic, mud slinging, literature at a time right before the election. When it is too late for anyone to respond with the truth and with the facts.

This kind of politics is much beneath the Pittsburgh voters throughout the city and I hope that people throughout the city will turn out to send a message to the negative mud slingers. Thank you.

Mr. Ricciardi:

Yes. Thank you. I am very pleased that Councilman Udin mentioned about negative advertising. For example, I have been very fortunate I have run several campaigns, helped several candidates and never -- have always stayed very positive. But to really compound the problem and especially as a resident of Southside is this targeting negative campaigning on behalf of some of the candidates. And what I mean by that is if I talk to my dear friends in Beechview and Brookline or Squirrel Hill they have not received some of the garbage that my district has had to read and put up with. They have not received

the garbage that the Southside and my Hilltop communities of Knoxville and Beltzhoover and Arlington and other communities have received. And that's what is very insulting.

What is very insulting is that how does a candidate pick certain neighborhoods to receive this gruesome garbage? Do they look at the income level? Do they look at education levels? Formal education? My parents have never received formal education in the United States of America only some grade school in Italy. But I think my parents were very bright people and were able to articulate their views both through entrepreneurship and hard working citizens in this great country.

So it is an insult to my district to receive such gruesome negative campaigning by candidate, Chairman of the Board Mike Dawida slash Mr. Cranmer. I find that very, very upsetting and as an insult to the Southside, to Arlington, to Beltzhoover, to South Oakland, to Knoxville, to Saint Claire Village, to Arlington Heights and to my other neighbors. That is what is insulting. The targeting negative advertising. Thank you.

Mr. Ferlo:

I obviously join the choir here a little bit because I am very disappointed in the negative advertisement that I saw in the last week especially. It seems to appear at least on the obvious that Commissioner Dawida has chosen rather to talk about neither about his own track record good or bad, about his hopes for the future or the region the county, talk about innovative ways to make government more

efficient or deal with a hundred issues that I can think of that many of us want to hear from our next County Executive. Rather I think it's muddled down in the last week to be a very negative campaign.

You would think that Mike Dawida was running against Dr. Frankenstein to listen to some of the advertisements and the commercials. It is very disappointing and as usual big moneys come into this campaign, anybody who doesn't have any understanding about Commissioner Dawida's ability to raise money, he can raise a lot of money because he is dulling out contract after contract in the last two years. And if it wasn't for that he probably could never even raise some of the money that he's raised.

He is not raising it from grassroots people because he's basically raising it -- because he has the envious position of being able to offer all kinds of professional service contracts, you name it. He has initiated one contract after another even in an expeditious way just to do fundraising. It would be all right to do fundraising to talk about the region, the county, what his track record is, it seems like 80 percent of the money is gone into negative advertisement against Dr. Wecht.

I know Dr. Wecht. I have known him for 25 years. He is a very decent person, he is a good man. He's a qualified professional, however you feel about whether he should be the County Executive or not, I am very strongly in favor of Dr. Wecht raising to the position of County Executive. I think it bodes well for the next term and for the first term of our new County Executive.

I am very disappointed in Cranmer

and Dawida and that whole gang there. Time doesn't permit me to talk about the last four years they have been in office. But I hope we make a change and I hope people get out to vote tomorrow.

Now the ballot is a little bit long because of all the judicial candidates, the County Council candidates deserve an opportunity to be given a vote, we're about to elect a new colleague here on City Council from Council District One on the North Side. As we know our colleague hopefully will go on to be County Controller as I am sure he will.

So however people feel on the North Side it is their own business but I just hope that however they feel about the candidate, I believe they have three prominent candidates running including the endorsed democrat. I just hope that the North Side residents get out and vote and send some message to this Council that they have sent us a colleague who has some grassroots and voter support in those various wards and districts that make up Council District One.

I think it is very important that they get out and support but as I stated last week. There is always a tendency when the curtain closes for people to get nervous or feel like they have to vote very quickly. So I would ask you now just one time when you get into the booth tomorrow and that curtain closes, I know it's physiologically it starts working on you that you feel like it seems like one minute is an hour in the booth, but just take your time and go through the names. Obviously you have a lot of names on the endorsed slate card which I hope you will support. But there are others that are running as write-ins and it is a very difficult thing for

people to do also.

So I would ask that people please take their time. I mean it takes all of three or four minutes if you have to stay five minutes in the booth, you have to stay five minutes in the booth. It is not -- it is not the most terrible thing that can happen to you.

And from my Council District, my name is on the ballot on the bottom line. So don't forget me also.

The Chair:

Shameless Jimmy.

Mr. Diven:

I just want to congratulate you on running such a quick and professional meeting.

The Chair:

You like that quick. Thank you very much. And it's going to be raining tomorrow that's what the forecast says. It doesn't matter, it has not hurt anyone if you have to go to work, any where else and if you have a concert you are not going to let rain stop you, do not let the rain stop you from getting out to the polls and voting. Again thank you.

Mr. Ferlo:

I hope it rains on Dawida's parade tomorrow.

The Chair:

I need a motion to excuse the absent members.

MR. UDIN moved to excuse the absent members.

MR. FERLO seconded the motion.

Which motion prevailed.

MR. HERTZBERG moved to adjourn the meeting.

MR. UDIN seconded the motion.

And on the motion made by Mr. Hertzberg, the meeting adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXIII

May 25, 1999

No. 21

Municipal Record

ONE-HUNDRED THIRTIETH COUNCIL

BOB O'CONNOR President
LINDA M. JOHNSON-WASLER City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, May 25, 1999

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Diven	Mr. Ricciardi
Mr. Ferlo	Mr. Udin
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	(Pres't)

The Chair:

Ms. McDonald will not make it today she has a court session and she will be absent today.

All please rise for the pledge of allegiance and remain standing for a moment of silent prayer for peace and hope throughout the world.

We have a very special guest, Daniel Romanello. He is eight years old in the third grade at Beechwood School. He

is a Cub Scout, Pack 165. He's accompanied by his parents, Dan and Debbie. You want to lead us?

Daniel Romanello:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you, Dan. And he is in Councilman Michael Diven's District.

Councilman, you want to come up and present a flag.

We have many special guests in the audience.

PRESENTATIONS

Mr. Ferlo:

I would ask our representatives from the AFGE Locals and the others from the veterans group to please come forward. Members of Council, I would like to read the following resolution in anticipation of the Memorial Day weekend.

MR. FERLO PRESENTS:

No. 1651 WHEREAS, fiscal year 2000 represents the fourth consecutive year in which the Federal budget has included no increase in funding for the

Veterans Affairs (VA) health care system; and

WHEREAS, this irresponsible omission on the part of our Congressional lawmakers comes at a time when health care costs are rising at an increasingly dramatic and dangerous rate; and

WHEREAS, four of the top veterans advocacy groups, the Disabled American Veterans (DAV), the AMVETS, the Paralyzed Veterans of America and the Veterans of Foreign Wars, have concluded that in order to meet rising costs, make a strong commitment to ensuring quality care for our nation's war heroes, and to prevent health care facility closures and further cuts in care the current medical budget must be increased by at least 3 billion dollars; and

WHEREAS, local chapters of the DAV along with representatives of the American Federation of Government Employees (Locals 2028 and 3344) and many other veterans service organizations will stage a rally on Sunday, May 30th at 1:00 PM at the University Drive VA Hospital in Oakland to protest Congress' lack of action and commitment with regard to this issue and to alert lawmakers of their concerns;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Pittsburgh does hereby support the May 30th rally and sincerely hopes that it will be just a single part of a much larger effort to ensure that health care services for American veterans be made a top priority by our nation's lawmakers.

BE IT FURTHER RESOLVED, that the Council will also send a signed copy of this proclamation to all members

of the House of Representatives and the U.S. Senate representing Pennsylvania so that they may all be made aware of the importance of this extremely pressing issue.

MR. HERTZBERG moved to adopt the resolution.

MR. DIVEN seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you very much. We have a number of representatives here both from Local 2028, thirty-three forty-four of the American Federation of Government Employees. The AFGE is the long established union nationally that represents many government workers especially those that do the hard work day in and day out. The people who care for the people that we care about and these are nurses and dietary workers and people that really put out all types of direct health care services and really provide the continuing care for the veterans and the people that we care about. And both locals here are part of a national university, along with veteran service organizing focusing in on this Sunday to really draw attention to egregious situation.

I do have to personally note that when you look at the rising healthcare costs, which at least for the last decade have greatly outpaced the traditional rate of inflation in every other sector of the American economy, and then you see basically a federal budget that has remained stagnate, you really are talking about upwards of 15 to 20 percent or greater significant cuts in the ability of the

Veterans Affairs Hospital system to be maintained. Inflation alone not only in utilities and just basic things but medically, equipment and technology, prescription drugs, pharmaceuticals, you name it.

I think it's criminal that this weekend, this coming Monday in particular on Memorial Day we will have local, municipal, state wide, federal politicians that will make some wonderful speeches on Memorial Day about the ultimate sacrifice that veterans have made in wars memorable. But at the same time some of those same lawmakers have not put their money where their mouth is. They need to go back to Washington and fully fund at an appreciable level (inaudible) the kind of commitment that this country not only morally should make but financially is capable of making. If we are not going to reinvest in the veterans health care system at a time when we have a surplus in our federal economy, when will we ever do it?

But really this important event Sunday is part of a national effort. I am sure the local Pittsburgh rally will be the most spirited. I hope so I will be there and I am asking my colleagues if they have the time on Sunday and their schedule permits to please join us. I hope Congressman Ron Klink is there. I know he's talking about running against Santorum. This needs to become a political issue.

I am going to be the first one we have a big parade through Lawrenceville and Bloomfield on Monday for Memorial Day. I want to be the first one to make sure that all the constituents know about what is happening in our nation's health care facilities that are treating our veterans

and their family members.

So I want to welcome our guests here this morning the union officials that are here. We have Bob Bonners an old friend of mine who is the Executive Vice President with the AFGE Local 2028, and he is a nurse himself. Craig Strauss is here from Disabled American Veterans Organization. Greg Erosenko, is the Chief Steward up at the AFGE 3344. Colleen Evans, she is the Chief Steward from PSU, that is the Professional Staff Union. Also members of Local 3344, and Mary Anne Meade, Executive Vice-President of the Staff Union, Local 3344. AFGE is also part of the National AFL-CIO system.

So I am pleased that they are here today. I wanted to turn it over to them to maybe say a few words and talk about what will happen hopefully this coming Sunday.

Mr. Bonner:

As Jimmy has said as health care providers we have seen first hand the effects of the flat line budget. We see waiting times increased, veterans being denied service, being denied admission. I think it is a sad commentary in these times of budget surplus and in times when we can fund everything from Star Wars to bike trails that we can't adequately fund the health care that veterans have earned and that they were promised.

I just urge everyone to participate in the rally to support those who made the ultimate sacrifice by insuring adequate funding for the health care system that veterans deserve.

Mr. Stevens:

As a member of the Disabled American Veterans we really need your support out there to show that the VA can continue to provide the life giving care to our nation's veterans only if the adequate appropriations are provided.

So again we urge your support out there and we hope to see you out there.

Mr. Erosenko:

Hi, again my name is Gregg Erosenko, obviously from 3344. I would like to thank the distinguished members of Council for allowing us to come and talk to you.

The real issue is that with the weekend coming up and as Mr. Ferlo most eloquently spoke on, is that here we are, we are going to be honoring our nation's fallen heroes. I think that that's a wonderful thing and something that should be done, but we can best honor our veterans by honoring our living.

If you look at our World War II vets, our Korean vets, and I am part of the Vietnam era vets, we were all promised that this system would be there for us. And at the same time Congress is saying we need less health care dollars to take care of our veterans. We need more. You actually think about it, most of our veterans from the World War II are anywhere from their late 70's to mid 80's. Our Korean veterans the same. They're in their probably late 60's, mid to late 60's to their mid 70's. And even us now the Vietnam vets, I am one of the younger ones, I am in my late 40's but we are up to our 60's.

We need the health care system to be there. Without the public's support of all the citizenry, without public support and we do thank you again for this City Council, the VA won't be there for us. I think that's a tragedy. We were there when our nation called for us; a lot of us like myself were drafted. We had no choice in the matter and we went and served and we served well. I think we do our country well by honoring our veterans who need our help.

Thank you for your support, please try to be out there on May 30. Have a great day.

Mr. Ferlo:

Again the rally is this coming Sunday at one o'clock in the Oakland Veterans Administration Hospital University Drive, at the top of the Hill. I am asking the public, our meeting is cable cast this morning and will be replayed at seven and on also on Saturday. I see a number of people in the audience, I see John May a Vietnam era veteran himself and maybe some of the other groups that are here today would also come out and support, a number of labor organizations are in chambers today also. I would ask that they show some solidarity and support for this issue.

There is a popular theme on Memorial Day about some gave all and all gave some. Well I think this is a time really that we call upon the Congress to provide a more reasonable level of funding to ensure a continued quality of care for our nation's veterans and their family members. I also point out and it is somewhat tragic in my own view, that a week ago some 160 democrats voted to

commit over \$5 billion in a technology that I thought we won that battle under the Reagan era and that was this so-called Star Wars funding. This is a strategy that has been referred to as mutually assured destruction or better known by the acronym of MAD. If we are going to be concerned about nuclear weapons we should be concerned about what the administration has done with the Chinese. We should be concerned about the Russian Mafia that is right now probably selling a lot of tactical nuclear weapons.

I suggest for a little bit less money they can hire and beef up security forces that will begin to track what is happening to arsenal nuclear weaponry. I would suggest that Congress, that's a higher priority right now for military expenditure than a failed absurd technology that is based on a premise that we can actually win a nuclear war. That's what Star Wars is all about. It is a waste of human capital and financial capital of billions of dollars. Those are billions of dollars that we need not only in the Veterans Hospital System, but we have every bridge and road in the City of Pittsburgh falling apart. It would be nice once in a while just to get a big check in the mail from the Feds for a change so we can begin to fix the crumbling infrastructure of this country.

So enough preaching. We will do some more on Sunday. We want to thank all of them for coming down and again I want to call on the public to please come down and support this cause on Sunday at one o'clock in Oakland at the VA Hospital. Thank you.

The Chair:

I want to thank you for the

outstanding work you do. I have visited all of your facilities and the outstanding care you give our veterans. We hope we can -- we must continue.

Mr. Ferlo:

Bob Bonner is Jim Bonner's dad, our intern for the summer. All my colleagues know Jimmy Bonner.

Mr. Hertzberg:

Would the individuals with Baskets for Babies please come forward. I think everyone here has probably seen on the news or read in the newspaper reports about young mothers who become pregnant. They're not married, they're embarrassed, they hide their pregnancy from everyone, their family and they end up secretly giving birth to a child and also trying to hide that. And in some cases the infants have died and in some cases they have been seriously injured.

We have with me some individuals who are trying to do something about that situation. And I am not going to steal all their thunder. I think they will explain their network to you. So let me read the resolution for baskets for babies.

MR. HERTZBERG PRESENTS:

No. 1652 WHEREAS, Baskets for Babies originated on April 13, 1999 when Gigi Kelly, upon hearing of another abandoned baby being found, could no longer watch the news about these babies, and decided she must do something; and

WHEREAS, the reason Baskets for Babies exists today, is to prevent this from ever happening again and to let the parents

of these babies know there are people who care about them and their babies who will help them in any way they can with "NO QUESTIONS ASKED"; and

WHEREAS, Baskets for Babies began with one family recruiting 30 family members and friends, then the story was aired on the local TV stations and appeared in the newspapers, people from all sections of Pittsburgh and the surrounding communities responded and within two weeks Baskets for Babies ballooned to over 300 participants; and

WHEREAS, Baskets for Babies has grown so rapidly, that "team" leaders have been recruited to coordinate their areas and get the message to their respective neighborhoods and communities so everyone knows that help is available; and

WHEREAS, with the help of the Pittsburgh Fire Fighters Local#1 Ladies Auxiliary, baskets will soon be placed in all 35 Pittsburgh firehouses, and the program also has the support of the Pittsburgh Police; and

WHEREAS, all those involved in the Baskets for Babies network are volunteers who donate their time and effort to help save infants from abandonment, injury or death;

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh commends Baskets for Babies for assisting young mothers and infants in the Pittsburgh Area.

MR. ONORATO moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

We are joined today by Gigi Kelly who I mentioned in the resolution who is really the leader of this whole movement and a lot of family. Also Gwen Elliott the Commander in our Police Department is here, Wayne Kelly who is Gigi's father-in-law, MaryBeth Gasier, who is Gigi's sister-in-law, Lynn Markovic, who is the team leader from Robinson and Ann Kelly who is Gigi's sister-in-law. Carol Keller who is a team leader in West Mifflin and Rhonda Latnera who is a neighbor of Gigi Kelly's.

Also I want to welcome ABC World News Tonight to City Council Chamber. They come from New York they're doing a program on Baskets for Babies, Alissa Rubin is here who is involved in the production and later Juju Chang will be here to interview some of the people that are involved. So we're getting some recognition on a nation wide basis for this excellent program. And I have been happy to participate together with my wife. We have a basket. I am not going to go into any more detail. I am going to let Gigi Kelly explain what it is all about.

Ms. Kelly:

Thank you all. Pardon my tears, but this is so important to me, and people in the community have really risen to the challenge. You hear about bad news all the time and people actually are tired of turning on the television and seeing the terrible things on the news. And I am here today to let you know that the day I started

this on April 13th, I had 30 friends and 30 family members and that's all we were. And I called the news and I said we are going to change something. We are going to make a difference.

As of today we are up to 440 baskets in six weeks. We have contacts now in Harrisburg we are getting ready to start out there. We have people in West Virginia that have called, ABC News has called and they are here today because humanity people are ready to make a change, we're ready to open our front doors, come out onto our porches and look at what is going on in our world. We have to start with these babies. These babies are our hope. They have to stop being hurt. We could go so many places from here and all we are right now is plainly, simply an alternative to certain death.

We are there for the girls who are denying their pregnancies for whatever reason. We are there for the girls who don't go to Mom's House or the pregnancy care centers, or don't seek out adoption services. We are there for the girl that at midnight finds herself with a newborn baby that she doesn't want and we are asking her this is her opportunity. No matter what choices she has made in her life this is your chance to make the right decision. Find us, find a basket, put the baby in the basket, knock on the door and go away. This is not about the mother. This is about the life of an innocent baby that needs to be saved.

There are more people out there that want this baby than don't want this baby. I and Baskets for Babies will not ask any questions of this woman. We are telling her to go away, to hide. We want her to take responsibility to at least make

sure someone comes to the door.

Right now all of our volunteers they get the same set of instructions with every volunteer that calls in we go over a set of instructions on what they're supposed to do. We're asking them now to take their baskets in if they are going to be away from their baskets for five hours or more. Because we don't want newborns laying in these baskets without being attended to.

The Pittsburgh Fire Department its currently getting work through their legal department hopefully we are going to have baskets in all of their city firehouses. We are also -- the paramedics are interested and they are looking into having baskets in all the paramedic stations that are outlying of the firehouses.

We have separated Allegheny County into 13 different sections. Because we have had so many people that I couldn't keep up with it and in each of those sections we have volunteers and these people are so committed. These are full time mom's, part time jobs and they find the time for this. We're here today in City Council to ask and for the support of the Council, which they have given us to go out to your constituents who look to you for guidance and support. We have flyers that we are passing out on a neighborhood level. The ladies and the volunteers are going to their churches, to their retailers the important thing about this information is it has to get out there so these girls know where we are. If they don't know where these baskets are, we serve no purpose.

We have a few groups that have really been helping us without questions. The Right Aid drugstores they have our basket list posted in their stores. These

lists have the county, the area, and the address. They don't have names and address of our volunteers. These are there for the girls to see. Our ideal goal is to have these flyers or at least some sort of this information in all the middle schools and high school bathrooms in every school in the county, in the state. This problem isn't delineated by race, it is not delineated by income, it is not delineated by where you live. This is a problem that we all have to deal with. These are babies that are dying because no one is paying attention.

We have gotten a lot of support from Mom's House who has three maternity centers in our area. MUSA, its a Methodists union of social agencies, they have done wonderful things for us. UPMC, Magee Hospital and Pam Dodge have helped us we're only six weeks old, we're in the process of trying to get a little more organized because it's getting even bigger on a daily basis. We just want to stress that this is not an alternative to anything else. The ideal way to have a baby is in the hospital and if you don't want the baby to put it up for adoption, but this is — the only alternative to this is to be laying beside a cold river or in a garbage bag in a garbage truck. Here we have baskets with blankets in and it's as plain and simple as if you can't take care of this baby, put it on our doorstep. We do ask that they get the babies in those baskets as fast as possible, because time is vital to their survival.

These babies are high risk, they are usually from young mothers who had no prenatal care. You have to get these babies in these baskets. So we would appreciate any support if you can get us into school districts, if you have any social

agencies you are attached to, our phone is (412)655-8265. Please call us, we need to get the word out there to save these babies. And that's all I have to say.

Ms. Elliott:

To members of Council, Mr. President, we appreciate you having us here today. I was away when this started and I got a call as soon as I got back home from Gigi and it I did my heart good because before I left we had three babies in this area die in one week.

We had very tragic circumstances after I came back where we found a little baby that had been abandoned in our housing community. So I have committed to helping this group expand and do what we need to do. So besides a grassroots help, if any one is listening here, I think we need some corporate sponsorship so that we also have some public places besides fire stations and medic stations where we can make these baskets available to women. And I think as they grow that they will be surprised that the services that they're going to end up providing to our society. So I just thank them and I think we should all give them a hardy round of applause.

Ms. Gasier:

I am Mary Beth Gasier, I am Gigi's sister-in-law. I just want to say that in addition to perhaps saving some babies lives, the baskets on the doorsteps are also symbols of hope, young people today, people in general in our nation have gotten the idea that life is disposable. With the baskets on every porch I believe that young people and all of us will begin to see that life again is sacred and valued.

Thank you.

The Chair:

Gwen, Gigi and MaryBeth, I certainly want to thank you for this. I think what you said at the end MaryBeth, you are sending a strong message the symbol of the basket is there are other alternatives. As you remember a little over two years ago a baby was left in Hazelwood in my community only in the back of the church. Had this basket been in the front when that mother on a freezing cold night before Christmas left it in the back and we didn't find it in time. I know it really brought the Hazelwood community together and we still honor the baby's life and tragic death. Bet it really brought us together. Baby Joseph, we still remember the baby at annual ceremonies.

But I think the key things you are sending a message, there is so much help out there and we can be watching each other. If you see a mother who may be in danger and not getting the healthcare, we should be helping that person. There is so much help out there. It really does more than just that one hopefully it is never used but the message is out there. I really want to thank all of you for what you are doing. It a tremendous effort. Gwen, especially you, you are involved with so many great, great projects.

Jane you want to come up for one minute. The Quinn family just for 30 seconds, I want to introduce you to our -- we don't have a proclamation but we have a special guest, Councilwoman Mary O'Neil Baker, the Councilwoman from Northern Ireland is here with her husband Emmett and she is a cousin of Jane Quinn. I just want to welcome you to Council

Chambers and we have a flag of our city and our country for you. Let's give Mary a warm Pittsburgh welcome.

Sarah Dixon, is Sarah here? We have Sarah Dixon who is the President of the Glen Hazel Citizens Association and youths from our Building Bridges Programs. Thank you very much for coming down.

MR. O'CONNOR AND ALL MEMBERS OF COUNCIL PRESENT:

No. 1653 WHEREAS, the Glen Hazel Citizens Association, Sarah Dixon and Richard Garland created the "Bridge To The Future" program designed to create jobs, provide job training, develop youth leadership and to build community pride; and,

WHEREAS, the "Bridges To The Future" program assists those youth, interested in one of the seven career opportunities offered by providing training and experience in the trade of their choice; and,

WHEREAS, the "Bridges To The Future" program is comprised of four work sites as a direct result of the collaboration involved with this proposal between Glen Hazel Citizens Association, John Kane Hospital, The Glen Hazel Resident Management Corporation, The HOPE Center and the Glen Hazel Senior Citizens Council; and,

WHEREAS, the following students have completed the "Bridges To The Future" program:

Tionna Simmon
Aster Flaig

Andrea Jones
Bridgett Dixon

WHEREAS, the following students
are in training:

Kean Black
Cherish Harbor
Michael Murray

NOW, THEREFORE BE IT
RESOLVED, that the Council of the City
of Pittsburgh does hereby congratulate the
Glen Hazel Citizens Association for their
ongoing dedication to the success of the
youth of the area; and,

BE IT FURTHER RESOLVED, that
the Council of the City of Pittsburgh does
hereby declare May 25, 1999, "Bridge To
The Future Day" in the City of Pittsburgh.

MR. COHEN moved to adopt the
resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Sarah you are active in so many
things I can't keep up with you. But you
want to explain this and introduce our
youth.

Ms. Dixon:

Bridges to the Future Program
works with -- we train our children how to
enter the work world and the things that
are important in the world of work because
the world of work is very competitive. We
train them how to do their own resume.
We train how important it is to have an

interview, what is important in an
interview, how do deal with policies and
procedures in the work world. How to
treat their employers. The employees
politeness to be polite. And as a result of
this, we have out of this we have gotten
three jobs for our children. We have
gotten two in Kane Hospital and we have
one at Squirrel Hill Manor. These girls are
working there permanently, they're steady
jobs. Bridget, you want to say something?
She works at Kane Hospital.

Bridget Dickson:

My name is Bridget Dickson. I am
a recreational therapist at Kane Hospital.
And I just want to say thank you for this
time and I want to thank you for my
grandma.

The Chair:

We have one to be read into the
record.

MR. HERTZBERG PRESENTS:

No. 1654 WHEREAS, the need for
housing for the elderly is overwhelming in
the City's ten southwestern neighborhoods;
and

WHEREAS, in these
neighborhoods, according to the 1990
census data, 23% of the residents are over
62 years of age and 54% of the households
fall into the low to moderate income
category as defined by the federal
Department of Housing and Urban
Development; and

WHEREAS, currently only one
senior housing project with 72 units and
one recently constructed 44 unit building

serve this large elderly community living in the southwestern area of the City; and

WHEREAS, the proposed Westlake Apartments elderly housing project at Lorenz Avenue and Crucible Street in the 20th Ward, which is being sponsored by the West End-Elliott Joint Project, Inc. in cooperation with ACTION-Housing, Inc. and the Urban Redevelopment Authority of Pittsburgh, would add 28 more units of housing for low to moderate income elderly citizens to serve the City's southwestern neighborhoods; and

WHEREAS, plans for the proposed Westlake Apartments elderly housing project include the demolition of Westlake School, a dilapidated structure that is contributing to urban blight; and

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh strongly recommends this elderly housing project to the Urban Redevelopment Authority of the City of Pittsburgh for approval as a 202 HUD Elderly Housing Project.

MR. FERLO moved to adopt the resolution.

MR. DIVEN seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Is that a non-binding resolution?

Every time we have approved a 202 it has been by a formal legal resolution not a non-binding resolution. I wanted a clarification.

The Chair:

You want to hold it for next week.

Mr. Hertzberg:

We approved this two years ago. It is just actually a renewal of something we approved before by City Council. It's a potential Senior Citizens Facility in the Elliott neighborhood of the City of Pittsburgh where there is currently a dilapidated school known as Westlake School, at the corner of Lorenz Avenue and Crucible Street. It is really an eye sore situation in our West End Elliot Joint Project, which just completed another senior citizens 202 project has been working away at this thing and kind of needs to re-up everything and bring it current. Because it's been a couple years they have had some problems in the procedures.

So that is what that is there for. We can bring someone in from the West End Elliott Joint Projection and action housing if that's the will.

Mr. Ferlo:

I am clearly in favor of it. I voted for it in the past. I thought we did it by way of a resolution as opposed to a non-binding proclamation. But I will be supportive either way.

Mr. Hertzberg:

Thank you.

The Chair:

Thank you. We will now allow

public comments. Three minutes anyone wishing to address Council, please step to the podium and give your name and address for the record and you have three minutes to address Council.

PUBLIC COMMENTS

Ms. Brown:

My name is Yvonne F. Brown, I live at 2633 Brackenridge Street, that is in the Hill District. Again, I state that I am an advocate for children youth and family. Each time I come here to the City Council Chambers I come to bring the concerns that the community as a whole takes seriously.

After a meeting I spoke with the cameraman about how my messages are received. I questioned if as I the messenger could I be turning the powers that be off. The cameraman stated that and I will paraphrase that you keep coming down here with that negative talk about the police. I have been in different neighborhoods where they stop when you stop at a stoplight and 15 people surround you at your car trying to get you to buy drugs. You have prostitution. I tried to explain that there are many people that do not participate in this illegal activity. What about my 15-year-old daughter who was trying to get the policeman to take her home after she had been attacked? For him to say I ain't taking you no where. She only had on one boot and it was the wintertime. What about the citizens that are standing at the bus stop waiting to go to work and ordered to move from across the street by the police and are told if they don't go they go to jail. What about the black contractor who I was here when he said that City Council had given him an accommodation. Yet he had been denied

the bid for a job with the Housing Authority because that job had been given to the out of town company that's going to be these stadiums.

It appears that the majority of the people agree with this mine set. Be it Bea your clerk that works here or even Linda Johnson your mail clerk, your main clerk, Linda herself even though Bea was very unprofessional stated that she stands behind her staff although she was, Bea, very ignorant and arrogant with her attitude towards me. Only when I was just trying to ask as a citizen asking for direction and information.

I bring this to light because here in this Pittsburgh, in your Pittsburgh Post Gazette if you look under Tales From the Trails it says in here that except that Murphy and his older daughter Shannon, 26 wanted to ride the whole way from downtown Pittsburgh to Georgetown and Washington DC. Now my understanding and I stand to be corrected that \$400,000 were spent for this cement road. Where does it go? Where does it come from? We don't even know how to get there, the poor people? But yet you still will not give any money for the poor children to be able to go to the swimming pools free. If the -- if it is not completed, that road is not completed, because I heard somebody come back here and asking for more money, tell the Mayor and his daughter to pay for the rest. We the poor people are protesting \$400,000 for a cement road. That she Shannon herself could not even ride. Thank you.

Ms. Erquhart:

Good morning, City Council. I am Dorothy Erquhart and I live in East

Liberty, 5811 Penn Circle North. If everyone here had looked at TV you have seen my house. I am one of the elders in this city and no one is paying attention. I think that City Council and the Mayor's Office I don't think I know there is a lot of discrimination going on here. There is a lot of racism going on.

My house, me being an elderly person and seeing the condition of my house and no one at City Council has come by to see what is wrong. I am paying the Urban Redevelopment right now, they were in charge of my house. They were in charge of the money and the contractors. I am paying since 1991 my house is inhabitable to live in. But I fix it enough for me to stay in. Because I have to pay each month for my house as you do when you go to buy the house and make it a home. Well I have paid since 1991 over \$50,000 for mortgage and remodeling. Now I need help and I need City Council to come and see what is happening. It is discrimination because I figure and I know that if I had been white it would not be happening. Somebody would have come and straightened out the mess. Because you know Urban Redevelopment is not perfect. They have made a mistake and a big mistake someone from City Council come and see what has happened out there.

I should not be living in a house that is too cold. I am 67 I have to carry kerosene. I should not be living in a house that I have to do that when I am paying mortgage and renovation. So I am saying City Council I am a black woman and it is time that somebody came out there to see what is happening to me. I am a taxpayer and I am one of the elderly and I am on retirement and all of my money is being paid out to try to keep the roof over my

head. And I am asking you to come down and come out to East Liberty and see what is happening in the black area. There are too many people that are getting frauded and so it is time for somebody down here to look into what is happening with Urban Redevelopment. And I have the papers to show it and I have also the house to show that I have been discriminated against. And I am asking you to come down.

It is time for you too look out and see what is happening in the black community. Thank you.

Ms. Portman:

Good morning Pittsburgh City Council on this beautiful May 25, chilly but beautiful. Some place special. My purpose for coming is that I was very disappointed to read that City Council preliminarily voted in support of new coined words, domestic partnership legislation. This is unjust legislation; this is an attack on marriage. I am asking City Council to defend the marriage bond. We can't improve on Gods ways. He gave us marriage from the beginning and the Holy Scripture condemns homosexual relationships. We're not to fund domestic partnerships.

This is not a spouse, again this is an attack on marriage. This is an unworthy legislation it's unjust. I am saying again, defend the marriage bonds, spousal benefits are husband and wife, man and woman in marriage. The domestic -- the person who works for the city, the individual person justly would receive his or her health benefits, just health benefits for that individual. Those who are married the spouse gets spousal benefits, there is an attempt to a cross the

country to approve this kind of unjust legislation. Again I ask you to defend the marriage bond. This is not marriage; this is an unjust proposal. This is bad legislation - B-A-D. Bad legislation.

Again Holy Scripture tells us this kind of relationship is against God's law. We pledge the allegiance to the flag a nation under God, this assembly under God. Do not attack God's laws by supporting unjust bad legislation. The domestic partnership by any other name -- bad.

You have an opportunity City Council to stand tall and again defend the marriage bond. We talk about neighborhoods, family life this is what it's all about, marriage, family life. Not to introduce into this city support for an evil relationship. Pray for every one us poor sinners need god's mercy everyone. Pass good legislation not bad. Reject domestic partnership proposals. Thank you very much.

Mr. Julobear: (phonetic)

Good morning I am Sam Julobear, resident of Pittsburgh on 505 Herron Avenue. Also co-convenor of the Pittsburgh Black Radical Congress and the Pittsburgh Black Radical Congress supports Pittsburgh Works, jobs, residence ordinance. One thing I wanted to talk about is how important it is for our citizens to have jobs. There is such a talent drain from the city in terms of people leaving Pittsburgh. One thing to bring people and strengthens the tax base here in this city is jobs. You can bring all the stadiums in here you want. You can do all the other things you want, but unless there are jobs people won't come. People

go where the jobs are.

We support Pittsburgh Works and we would like to say that Pittsburgh Works has been a very controversial piece of legislation. When poor people, and I would like to also congratulate Councilman Sala Udin for his foresight to propose Pittsburgh Works knowing the importance of jobs when people can't get jobs then they seek other means of getting money and the things that they need. Well one thing about Pittsburgh Works is that it gives us the opportunities to leverage for jobs. Poor people always have to work up hill to the bottom to get what we need.

We also would like to say that the bill has been modified in many ways. We would oppose any measures or any amendments that would weaken the bill. The bill should stand as it has been proposed by Councilman Sala Udin so that it can realize it's full impact, so that we can have the kind of employment opportunities that we need to feed our children, to cloth ourselves, to have housing, to educate ourselves.

Pittsburgh Works as proposed by Councilman Sala Udin should stand any amendments to weaken it we definitely oppose. Thank you very much for your time.

Mr. Mays:

Good morning, members of Council, my name is John Mays, Activist, Democratic Committee Person of 11th Ward 18 district, East Liberty. Taxpayer, concerned citizen. I stand before you here and I am directing this mainly at Councilman Jim Ferlo you are the 11th Ward Chairperson of my Ward. I add on

to what has already been said. Pittsburgh Works needs to be. Why? Because this summer is going to be hell. No jobs for our youth, no jobs for people even in my age group. They're leaving here at an alarming rate.

Anyone here is thinking that Pittsburgh is number one for folks coming back home, you're fooling yourself. We want jobs, African American Workers Union whatever that is in terms of people of color we want to be included and we intend to do so whether you like it or not. Enough is enough. We're going to be included, our public money is going to be invested in these \$15 billion construction and yet you're going to leave us out. When I was in college or in high school they called that legalized thievery anyone here know what that means? That's just what you're doing if you don't support Pittsburgh Works.

Councilman Ferlo, you must take the leadership role if you want to go into the next millenium keeping up with the Jones on athletic stadiums. You must support the Pittsburgh Works ordinance bill. Thank you.

And those who were fortunate to win in last Tuesday's Pennsylvania Primary, excuse me, I am going to salute you for your victory but the work has just begun and we the grassroots will be included we're going to fight to the very end so help us God. Thank you.

Mr. Malia: (phonetic)

My name is Ellis Malia (phonetic), I live at 2700 Center Avenue. And I am the Labor Chairman of the Black Radical Congress. We have seen too much of this

other people working and we're not working. There is a lot of rumbling in the city, a lot of rumbling in the thing, but it hasn't become united and it hasn't become organized. If this keeps on continuing to see other people working, people coming in from out of town it's going to change. The people aren't going to be begging, they're not going to asking, they're going to be working. And also I have been to this Mrs. Dee's house and it is atrocious the way it is. But I am saying that when you are not going to build everything peacefully, we are not going to build everything on time, if everybody is not included and this bill has been watered down, it's been watered down enough. And the bill itself is just one phase, one legal phase that we must have. And the watering down can't continue and we intend to work as anybody works. Thank you.

Mr. Perry:

Good morning my name is John Perry, I live at 6426 Howe Street. I teach Constitutional Law at the University of Pittsburgh School of Law. I have been asked to discuss constitutional issues relating to the current version of Pittsburgh Works.

I should start with a caution for you. Those of you who are attorneys know that we when we talk about law we deal in probabilities not in certainties. That said however, I believe that Pittsburgh Works is tailored to the requirements of the constitution. There are two constitutional provisions that govern residency requirements for employment. The first is the privileges and immunities clause of Article Four; this clause applies only to actions taken against out of state residents.

That is the privileges and immunities clause applies here only if Pittsburgh Works discriminates against citizens of other states. Pennsylvania residents don't have any privileges and immunity rights against the City of Pittsburgh.

The Supreme Court in the *Candid Case* (phonetic) and third circuit in the (inaudible) *Salem Blue-collar Workers* cases, stress this point again and again. Because Pittsburgh Works exempts out of state workers from the residency requirement there is no, I repeat, there is no Article Four privileges and immunities issue, none.

The other constitutional provision is the commerce clause of Article One, which restricts state interference with commerce. But this restriction does not apply when a state is a market participant. That is when a state or local government is participating in a market by buying or selling goods or services. And in the *White* case, the Supreme Court declared that residency requirements for projects funded in whole and importantly in part with city dollars are perfectly constitutional under the commerce clause.

The *White* case also makes clear that it is constitutional for a city to restrict residency when using federal funds that allow for those kinds of restrictions. So the remaining questions are simply these, what to do with federal or state dollars that are silent on this issue? And what to do in private dollars provide a significant part of the funding? The case law gives us an answer. What counts is whether the city is a market participant not where it gets the money. If I have money to spend, it doesn't matter if I get it from my paycheck, from the bank, from the government or,

my friends I can spend it how I want. The City of Pittsburgh is in the same position. The state and federal governments are free to forbid Pittsburgh from imposing residency restrictions but if they don't Pittsburgh is free to spend its money from whatever source derived, however it wants.

If the state or federal government don't like it, they can place restrictions on it. If private parties don't like it, they can refuse to deal with the city or they can negotiate for better terms. But until that happens, Pittsburgh is constitutionally free.

If I could make one more point.

The Chair:

Please summarize.

Mr. Perry:

United States Court of appeals for the third circuit which covers Pennsylvania has embraced this same idea and said that what counts is whether or not you are a market participant not where you get your money. The bottom line is that when Pittsburgh participates in the market it can participate, it can spend its money how it wishes and impose conditions. The issues before this Council therefore are not constitutional. There is no constitutional problem with Pittsburgh Works, the only issues are political and economic.

Mr. Raheem: (phonetic)

Good morning. My name is (inaudible) Raheem (phonetic) I am from the North Side of Pittsburgh. I represent the National Council for Urban Peace and

Justice. And I would like to thank the gentleman before me for his comments regarding the constitutionality of Pittsburgh Works.

I had some questions about it. Being a long time community activist my position was just because it is legal, just because it is constitutional doesn't necessarily make it right. And if indeed there were some questions about the constitutionality of Pittsburgh Works it indeed should have been challenged and it still needs to be challenged.

We believe from the National Council from Urban Peace and Justice that all of us have a God given right to meaningful work. We believe that here within the City of Pittsburgh because of the long history of abuse, when it comes to the under -- you know employment and lack of employment within the black community that Pittsburgh Works is a timely piece of legislation. We also want to implore Pittsburgh City Council to look at two other areas. Besides making sure that folks get jobs, we want you to consider that contractors, minority contractors have an opportunity to participate in the expansion of the David Lawrence Convention Center as well as the building of the two new stadiums. We also want you to further consider that black vendors or minority vendors have an opportunity to open up shops and businesses once the two stadiums have been completed.

We think this too is in the spirit of what Pittsburgh Works truly represents. We once again on behalf of the National Council for Urban Peace and Justice we support the original piece of legislation as it was proposed by Councilman Sala Udin,

we hope it stands strong. We hope it stands firm, and we will do everything within our power to make sure that it does. Thank you.

The Chair:

In the future --

Mr. English:

My name is Gary English, 1504 Fairmont Street, highest property tax community in the Allegheny County. I just left the Pittsburgh Auditorium Authority meeting where I looked at several contracts and the common theme here today which I had not planned on speaking is about jobs. And also to address that to the minorities I have looked at several of the contracts that were approved today at the Public Auditorium Authority for the stadiums. Slaba Morgan Hallowell (phonetic), Richard Getalink (phonetic), Castbaker Corporation (phonetic), Huber Hunt Nickels, Massaro Construction Corporation, Raphael Vignoly Architects, Advance Technology Systems, Christine Davis Consultants. A lot of money was handed out today at the Public Auditorium Authority. It's a shame that the people behind me were not there rallying for the same cause.

Councilman Cohen, you know that they have been absent when it comes to giving an equal access to minority and women in business and it is funny that it's being spoken today.

I haven't had a chance to review today's agenda with the proposal Sala Udin has brought forth, but it seems like there has been a pattern of discrimination that has taken place giving equal opportunity

using public funds, I would like to see that change.

I do want to change strides for a moment on a totally different subject. A few weeks ago I spoke here. I spoke about a law that was passed by Council that would deny our rights of free speech and campaign signage. And although I don't agree with it, we have to abide by it. I saw signs of Councilman Onorato all over Allegheny County in the City of Pittsburgh. Councilman Onorato have you picked up your signs yet?

Mr. Onorato:

I will be more than happy to talk to you after the meeting.

Mr. English:

Councilman Onorato were you fined for putting these signs on public rights of way in the City of Pittsburgh or did you receive special protection as a Councilman from the City of Pittsburgh?

The Chair:

This is not a debate. We will listen to your comments please.

Mr. English:

I think I have made my points clear and thank you for my three minutes. Thank you very much.

Mr. Bell:

Hello my name is William Bell. I live at 2304 Center Avenue. I am a board member of the Coalition of Black Trade Unionists. We would like it to go on record that, Sala Udin, we feel this is a

good bill that you have and we would like City Council to vote in favor of the bill. Thank you.

The Chair:

Any more speakers? These public comments are directed for Council for your comments to Council and or the Mayor. I would ask anyone who addresses us to whether you agree or disagree with us to please keep our families and the Mayor's family out of your comments. I don't think that is necessary. We will now move to presentation of papers.

PRESENTATION OF PAPERS

MR. FERLO PRESENTED:

No. 1655 Resolution providing for the filing of a petition or petitions for the sale of property located at 5805 Bryant Street, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984. —
(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance and Budget.

MR. FERLO moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MS. MCDONALD PRESENTED:

No. 1656 Resolution providing for an Agreement or Agreements with Miryam's, Northside Common Ministries and the William and Mildred Orr Compassionate Care Center for administrative, operating and/or renovation costs for the shelters under the State Emergency Shelter Grants Program, at a cost not to exceed \$80,000.00, chargeable to and payable from S.E.S.G.P. Account No. 566100-2640-110000-S1999-G225014-1999.

Which was read and referred to the Committee on Housing, Economic Development & Promotion.

MR. RICCIARDI PRESENTED:

No. 1657 Resolution providing for the transfer of the amount of Five Hundred Thousand Dollars (\$500,000.00) from Code 45, Health/Life Insurance-Municipal Employees, Non-Departmental Personnel, Account 571100, Fund 1000, Organization 999300, Subclass 040, Budget Year 1999 to the Special Summer Food Service Program Trust Fund in the Department of Parks and Recreation, Account 581140, Fund 2855, Organization 521220, Subclass 600, Budget Year 1999.

MR. FERLO moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Also,

No. 1658 Resolution authorizing the transfer of Twelve Thousand (\$12,000.00) Dollars from account 593100, fund 1000, organization 500000, subclass 300, budget year 1999 to the Special Parks Programs Trust fund, account 593100, fund 7314, organization 500000, subclass 600, budget year 1999 all in the Department of Parks and Recreation.

Which were read and referred to the Committee on Finance and Budget.

No. 1659 Resolution Amending Resolution No. 216, effective 4-20-99 entitled, "Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$102,500.00 chargeable to and payable from Account 593100, Fund 1000, Organization 500000, Subclass 300, Year 1999 in the Department of Parks and Recreation." by eliminating the Brighton Heights Athletic Association \$12,000.00. Which was read and referred to the Committee on Parks, Recreation & Youth Policy.

MR. UDIN PRESENTED:

No. 1660 Resolution Amending Resolution No. 239, effective April 27, 1999, entitled, "Resolution providing for the issuance of a warrant in the sum of \$15,000 to USX Corporation and Bethlehem Steel Corporation c/o Barry J. Trilling, Esquire, Pepper Hamilton & Scheetz, LLP, 50th Floor One Mellon Bank Center, 500 Grant Street, Pittsburgh, PA 15219-2502, in full and final settlement of the action filed at C.A. 96-1240 alleging the release of hazardous substances from a landfill located in Elizabeth Township" by changing the name of the payee to read USX Corporation and Pepper Hamilton, LLP.

MR. UDIN moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Also,

No. 1661 Resolution providing that the City of Pittsburgh enter into a professional services contract or contracts with Fried, Kane, Zuschlag, Walters & Grochmal for the purpose of providing legal counsel for defense of workers' compensation and heart and lung claims, at a cost not to exceed (\$190,000.00), chargeable to and payable from WCCTF, Workers' Compensation Commutation Trust Fund Account 574300, Fund 7520, Organization 109000, Sub Class 600 and Budget Year 1999 Department of Personnel and Civil Service Commission.

No. 1662 Resolution providing that the City of Pittsburgh enter into a professional services contract or contracts with Ford & Council for the purpose of providing legal counsel for defense of workers' compensation and heart and lung claims. The total amount payable under this Resolution will not exceed \$80,000.00.

No. 1663 Resolution providing that the City of Pittsburgh enter into a professional services contract or contracts with Allegheny General Hospital for the purpose of providing medical and ancillary services for the City's Workers' Compensation program, at a cost not to exceed \$3,360,000.00 Department of Personnel.

No. 1664 Resolution Granting the Pittsburgh Water and Sewer Authority a permanent utility easement and privilege and license to install, use, operate, maintain, repair, renew and finally remove a 15-inch sewer line across City of Pittsburgh property designated as Block 6-A, Lot No. 97 located on South Main Street in the 20th Ward.

No. 1665 Resolution authorizing the sale of City owned property on Weitz Way, 27th Ward, Block 115-E, Lot 40 (part), to Rita Lorraine Borgese, for the sum of \$100.00.

No. 1666 Resolution authorizing the sale of City owned property on Weitz Way, 27th Ward, Block 115-E, Lot 40 (part), to Armond Borgese and Anna Borgese, his wife, for the sum of \$100.00.

Which were read and referred to the Committee on Finance and Budget.

MR. ONORATO moved to suspend Rule 8 by providing for consideration of the last two bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday,

I forgot to talk to the Councilman whose committee they are in, I would live to waive the two real estate bills, waive Rule 8 and have them on tomorrow's agenda.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

THE CHAIR PRESENTED:

No. 1667 Communication from Mulu Birru, Executive Director of the Urban Redevelopment Authority, submitting the Annual Report of Employees, Positions and Salaries for Budget Year 1999.

Which was read, received and filed.

MR. HERTZBERG moved to receive and file.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Any unfinished business to come in front of Council?

UNFINISHED BUSINESS

Mr. Hertzberg:

Thank you, Mr. President. I hate to

keep bringing this up to the Pittsburgh Penguins every week like this, but I don't feel that they're problems are being resolved at all. From what I understand some of the negotiations are really not moving anywhere right now and we thought the clock was ticking a month ago, it is really ticking now. And I am not sure where the Mayor is coming from on this thing. I don't know that he is advancing the negotiation of a possible deal and his position is that the Lemieux Group should get together and partner up with the SMG Fox Group. I don't know that people that are in business just want to take on any partner that's out there and get involved in a business deal.

I don't think we want to force people to become partners and in fact I don't know that you can. And I wonder why you would want to. I mean you have the SMG Group, which is based partly in Philadelphia. It is comprised of a Philadelphia corporation that is in the concession business and another group that I believe is also the owner of the Hyatt Hotels based out of Chicago. And we seem to be, at least the Mayor and Mr. Leeper, seem to be catering to these individuals and trying to preserve their relationship and their lease. I don't understand it. Their proposal also includes massive large public subsidies that would include the loss of the current amusement tax revenue that the city receives.

I also want to report on the resolution that I proposed, the non-binding resolution on eminent domain and on asking the Auditorium Authority to utilize eminent domain. I have been in touch with some individuals that are very familiar with eminent domain, I just spoke with a real estate appraiser who has been

doing eminent domain work for 45 years. He's been involved in different condemnation and appraising the different values of leases and in what's called the fee simple interest in real estate. And he has assured me that the current lease that SMG holds would not be relative to a decision on the fair market value of the lease of the arena if there were a condemnation.

The reason is simple that lease has been one of the major reasons the tenant, the Penguins, have had to file bankruptcy. It is not a market rate lease. And when you evaluate something in eminent domain you're looking at what the fair market value is of that particular item.

I also want to report that I have been assured by Mr. Lemieux's Group that they are not asking for public funding in the event there is a condemnation and eminent domain. They are prepared to pay whatever the fair market value is of the SMG lease if there is going to be condemnation by a municipality.

Finally, we have unfortunately rescheduled the Post Agenda Meeting where the three entities are coming to give us their plans for the Penguins a couple of times and I have got to report that yet a third time. We're just trying to make it work with everyone's schedule. That this should be the last rescheduling of the meeting. It will be next Wednesday, which is June 2 at two o'clock. It was going to be this Friday, it was going to be next Friday, it is definitely going to be next Wednesday at two o'clock.

I would ask members of Council to consider eminent domain but I will hold off on that until after we can hear from all

the parties and members of Council can ask questions and receive answers directly from the people that are involved in this.

Mr. Onorato:

I just want to add a few things here. I believe that Councilman Hertzberg believes it's the best way to go, but I have to part company a little bit here because I view it a little differently. I think that talk about eminent domain and condemnation now is not a good idea. I don't think that we should get involved at this point. While I recognize that SMG's lease is definitely not what the other cities have, at the same time it was an arms length negotiated deal where SMG was basically acting as the bank to make this deal work. And now you have a situation where it is in bankruptcy court and Mario Lemieux who is a local hero and I love him too, but he is an unsecured creditor. You have SMG who has a lease and who is a secured creditor.

I think we're doing a disservice if we jump into the middle of this before this ownership issue gets resolved. I don't think they should be coming to the city or state or any public entity until they resolve that issue. Because as long as we are out there threatening to take action in some form as a public body, it gives some of the parties reason not to close the deal because they think we are going to go do something out there. I don't think we should be condemning this lease or even talking about it until they resolve that issue. At that point, when the ownership issue is resolved then we come to the city, the state, the county and see if we want to participate at that point. I don't think we should be interfering with this negotiation at the ownership level especially while the

bankruptcy court is reviewing it.

SMG is being I think portrayed sometimes as the bad guy here and I am not here defending SMG I am just looking at the facts. They were there to give the money up front when the owners wanted it and they acted as the bank, and because this business didn't work it is not their fault they got a sweetheart deal. They signed it. They didn't hold a gun to somebody's head to sign it. They signed it and so did the other party sign it. Now the bankruptcy judge has to make a decision here on what he thinks of this lease and how this should work out and what ownership issue should come forward. I think we can preserve this team in Pittsburgh. I think we should keep the team in Pittsburgh, but I think the best way to do it is to force the ownership issue to be resolved before we have public participation.

Mr. Cohen:

Thank you, Mr. President. Councilman Hertzberg has been bringing this issue up consistently and I commend him for doing that. Obviously it is a very important and we need to do everything we can to keep the Penguins in Pittsburgh. Last week I received a petition with 36 thousand names on it, which were from people all over the world not just Western Pennsylvania to support the Penguins, and I know that we all do. I also have to disagree with him on the eminent domain issue and certainly Councilman Hertzberg knows my position on that. To actually condemn this lease means that we would have to put up millions of dollars. We may of course disagree with the fair market value of that lease is, but we don't have the money right now to be able to do

that even if we did. Frankly I don't think that it is the right time. It may sometime in the future be the right time but it isn't now.

I think what Councilman Hertzberg has been pushing for has been action, for steps to be taken to try to bring the groups together and come up with a resolution that will keep the Penguins in Pittsburgh and happily. Especially since the Mayor's press conference last week that has happened and the Lemieux Group on the one hand and the SMG Fox Sports Group on the other hand have been meeting. I think the role of the city is an important one to be a mediator in that and to prod both sides to come together and reach resolution. And that is happening and certainly has been behind the scenes for a while and now it is certainly happening in the open with Bill Nolan pulling the two groups together.

I think frankly there has been some progress at those meetings and I think we need to continue to play that role. If they reach an insurmountable wall and are not able to reach resolution then of course we need to step in even further. But right now with the Lemieux Group and the SMG Fox Group meeting yesterday Mario Lemieux met with Roger Marino that needs to take place, there is a mediation taking place at the bankruptcy court. I feel as if things are slowly coming together in a way that will allow us to keep the Penguins in Pittsburgh. For the city to move forward would have to be actually the Auditorium Authority to move forward and condemn the lease at this time, I don't think would be productive but I do think we need to stay on top of it as we have.

Mr. Ferlo:

Mr. President, this City Council blinks first the city taxpayers are going to get the royal shaft in this deal and more importantly we won't have a deal as the Mayor has rightly pointed out that will be financially solvent. The issue is not only the immediate issue of maintaining the financial health in securing the Penguins well into the future, the issue is how is that going to be done financially. Who is the best group, or what is the best solution to come forward that is going to insure that this team is going to be funded well into the future.

I don't think we should be rewarding bad management and I think that's partly what we would be doing if we intervened and take sides either for the Marino Click Group or anybody else. And as far as everybody focusing in on the outrageous lease and SMG I think that's a bunch of hog wash. What about Mr. Lemieux? Here is a gentleman who expects \$30 million plus knowing full well he wasn't even going to play one more hockey game. Is he any more credible in this deal than SMG who intervened and bailed out the situation years ago and is only asking for their for their rightful money and to be paid based on the lease agreements that everyone agreed to when it was convenient at the time? So let's just stay out of the picture a little bit.

We should be supportive, we should keep the clear message that it's very critical that the Penguins continue to exist in the City of Pittsburgh at the right time, I think there is a proper role for public participation and infrastructure in assuring that we have a quality facility. Everyone says like all of a sudden that the ten million dollars we put in up there at the arena should be thrown out the window. It

is like we put brand new seats in and a day later they are ugly seats, they're terrible we don't need them any more. Are people losing their minds up there? We spent ten to twelve million already and now like a year later we are supposed to believe because of the hype and all of sports jocks that it is a useless facility and everything else is not profitable. There is a lot more involved.

I am very pleased that the administration and the Mayor has solicited and contracted with Mr. Nolan. I have faith in the gentleman, I have trust in him, I trust his business acumen and his skills as an attorney in terms of looking somebody squarely in the eye and saying this is the way it's going to be. So I think we have a good person that is now intervening. I have a lot of faith in the Public Auditorium Authority, Mr. Leeper and other players are at the table doing what needs to be done. But I am not just going to open up and right a blank check. I think it is completely inappropriate to intervene on the issue of eminent domain proceedings at this point.

The Chair:

Any more comments? I believe your Post Agenda is to educate us on the eminent domain?

Mr. Hertzberg:

On the plans. And to the degree that the Lemieux plan calls for eminent domain there will be discussion on it. But it is to hear from the proponents of the plans, Lemieux, the NHL whose plan is to pull the team out or to liquidate it if things don't happen, and also SMG and Fox. What are their proposals, what are the ups

and downs of them?

The Chair:

When is the deadline?

Mr. Hertzberg:

I believe it is June the 24th. That's the deadline that's been set in bankruptcy court.

The Chair:

You have a post agenda scheduled if you want to get input from all Council members of what our goals are and where you see it going I think it will be important before we do it.

Moving to Reports of Committees.

REPORTS OF COMMITTEES

MR. HERTZBERG PRESENTED:

Bill No. 1669:

Report of committee on Public Works, Water and Environmental Services for May 20, 1999, transmitting sundry of resolutions to Council.

Which have been read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1611:

Resolution vacating portions of North Negley Avenue and North St. Claire Street in the 11th Ward, 9th Council District of the City of Pittsburgh.
Which was read.

Also,

Bill No. 1612:

Resolution vacating portions of Federal Street, West General Robinson Street, Stadium Drive East and North Shore Drive in the 22nd Ward, 6th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 1636:

Resolution further amending Resolution No. 140 effective March 18, 1999, entitled "providing for a Contract or Contracts, or the use of existing Contracts for street resurfacing programs to include but not limited to ultra thin hot mix asphalt, hot mix asphalt, crack sealing, sawing and sealing, nova chip, flexible pavement, asphalt milling, truck rental, brick and blockstone repairs, handicap ramps, concrete slab replacement at various locations throughout the City of Pittsburgh, at a cost not to exceed ~~Six Million Fifteen Thousand Dollars (\$6,015,000.00)~~ Four Million Eight Hundred Fifteen Thousand (\$4,815,000.00), chargeable to and payable from Fund 5100, Org, 400000, Sub-Class PGHPR, Project 2239000, Budget Year 1999, Citywide Resurfacing, Department of Public Works and Two Million Dollars (\$2,000,000.00) from the General Fund, Fund 1000, Budget year 1999.

Which was read.

Also,

Bill No. 1637:

Resolution further amending Resolution No. 141 effective March 18, 1999, entitled, "providing for a Contract or Contracts, or the use of existing Contracts for street resurfacing programs to include but not limited to ultra thin hot mix asphalt, hot mix asphalt, crack sealing, sawing and sealing, nova chip, flexible pavement, asphalt milling, truck rental, brick and blockstone repairs, handicap ramps, concrete slab replacement in CD areas throughout the City of Pittsburgh, at a cost not to exceed ~~Two Million Nine Hundred Sixty One Thousand, Six Hundred Three (\$2,961,603) Dollars~~ Two Million One Hundred Sixty One Thousand, Six Hundred Three (\$2,161,603.00), chargeable to and payable from Fund 2610, Org. 400000, Sub-Class C1999, Project 2239000, Budget Year 1999, Citywide Resurfacing, Department of Public Works.

Which was read.

Also,

Bill No. 1638

Resolution providing for a Contract or Contracts, or the use of existing Contracts for renovation and rehabilitation of war memorials at various locations throughout the City of Pittsburgh, at a cost not to exceed Sixty Nine Thousand (\$69,000.00) Dollars, chargeable to and payable from Fund 5100, Org. 400000, Sub-Class PGHPR, Project Number 2238450, Budget Year 1999, Department of Public Works.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Ferlo:

Mr. President, I was not here last week as you know but we did ask at one point in the past for some type of reasonable anticipated list of streets that will be repaved and or asphalted by whatever means. I have not received that information yet. I don't expect that the list when it is presented to Council that we presume that each and every street will necessarily be done given the weather, the time, the capital program. But I would like to at least have some reasonable facsimile of a list of an anticipated streets between now and late September, October that we anticipate doing. So I would reiterate our request from Council that we be provided that list, that is on Bills 1636 and 13637.

And on Bill 1638 I am pleased to see, this is something we started a number of years ago an allocation of some dollars to maintain, clean or repair various veteran monuments around the city. I have asked though for a comprehensive list of what public monuments and/or statues we have around the city. I have yet to actually receive that also. And I would hope that we can see that so we prioritize particular monuments. They're other groups in the community that would also like to be involved. I would ask that whatever is done in this bill and that is Bill 1638 that they work with the District Council representative regarding the renovation or rehabbing of veterans monuments and/or statues.

Mr. Hertzberg:

Just to respond on the issue of resurfacing streets. Deputy Mayor Sirabella wants to present the status of that list of streets to Council in a post agenda meeting which will be next Friday on June the fourth in the morning.

Mr. Ferlo:

I respect that, but that just means it's now turned into politics. We don't need the Deputy Mayor to come here with a political list. We spent hundreds of thousands of dollars even though I voted against it, presumably for a maintenance street management infrastructure system computerated dispatch, I don't know what the hell it was called, but it never worked. It was a waste of money.

Now I don't really want the deputy Mayor knows nothing about the streets other than like what we do that there is a lot of complaints. I want a professional here who knows about the streets, who has reviewed the conditions of the streets, who can restore some rhyme and reason and prioritization as to what streets need to be done in our respective districts and in what order and by what method. Now if the Deputy Mayor knows all that, great, he will be very productive at the meeting. We don't need a flack catcher here; we don't need somebody who is going to finesse this discussion.

There should be a Public Works official here who is involved in the issue, not a political operative of the Mayor. That's not what we need for this discussion.

The Chair:

I would also request I think I believe we should at least see the list before the meeting because I don't think anybody knows their streets better than the Councilmen.

Mr. Ferlo:

I hope the list doesn't get determined by politics, like who has more influence to get one street done. We were supposed to have a decade long system of some order and commonsense as it relates to the condition of our streets. It shouldn't be whoever has the biggest mouth up here or Jim Ferlo harasses everybody we are going to get a street done, is that the message we are sending our constituents? I thought we had a plan that evaluated the conditions of the streets and added some logical timetable and methodology as to how streets are repaved or when they're fixed or what have you.

We also urge this time that more streets be graded and milled and properly replaced instead of that crack sealant crap that they are using and everything else. So we need a Public Works person here. I realize Mr. Tortorete unfortunately is no longer with the city, but I hope that we're going to have some people here not someone who is going to deal with the -- with the kind of perception of politics of this issue.

The Chair:

Mr. Hertzberg, are we going to have the right people here from Public Works?

Mr. Hertzberg:

This is Mr. Sirabella's idea. We

are going to need to ask him.

Mr. Ferlo:

The guy is a wonderful gentleman; he's not the right person for this discussion.

The Chair:

We will request if people from Public Works --

Mr. Ferlo:

If he wants to put some clothes on and start doing paving, he can come. But that's not the person I want here. Have the work crews here, I will get a straight answer from them.

The Chair:

We will request that. And also I think it is a good idea of -- I believe it is a good idea to have a list of the monuments.

Mr. Ferlo:

Call Mr. Barnes, he does everything else. Even though he does garbage and he does everything. We are going to blow eight million dollars and we don't even know how we are prioritizing the streets. That's a hell of a way to do business.

The Chair:

Well, I think we will have the opportunity next Friday.

Mr. Onorato:

If we could ask our Budget Director to reconcile with the Finance

Director these two bills are changing the total amounts. They're both showing the reductions but there was discussion last week I brought this up in reality it is actually increasing it by \$2 million out of the General Fund. I read these bills and I still have a hard time following it.

What we need though is the total picture of all the money that is in asphalt. There was originally 4.9. We allocated four more million to it at one point, two and then two to come. If they can reconcile all of the money that is going into this account just to make sure that none of these bills are decreasing that total that we moved over. I just want to make sure that we're putting the proper amount of money into asphaltting.

Mr. Ferlo:

Just on that point, Mr. President, I thought the CAFR Report presumably by the Controller's Office although they would not verify the numbers, maybe Councilman Udin can speak about this. I thought part of the deal was that if we exceeded the two million, which I believe the Controller says it is five million, then we would have the administration's commitment for the extra money. Do we still have that agreement with them?

Mr. Onorato:

I have it in writing.

Mr. Ferlo:

All right.

The Chair:

So that's where the four million is coming from.

Mr. Onorato:

My concern, if these two bills from what we discussed last week, they decided to take two million dollars from the General Fund now. It is not the two million dollars that we are referring to that the CAFR would show which would be the increase. So this movement would actually take four million dollars from the General Fund and if that's the way they want to do it, that's their call at this point as long as the four million dollars gets to the asphalt plant.

Mr. Ferlo:

Since this has now become a political decision as to what streets are getting done, I would encourage all of my constituents to please call Deputy Mayor Sal Sirabella at 255-2038 that is his direct line. And please prevail upon him to get your street done. Because we are no longer going to do it based on science and need. We're going to do it based on who knows what. 255-2038 Deputy Mayor Sal Sirabella.

The Chair:

I know one thing, the need is so great. I don't know how you can play too much politics. It is needed all over the city, it is a tremendous embarrassment to all of us.

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Ferlo
Mr. Hertzberg	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor

(Pres't)

Bills have received the legally required number of votes and have passed finally.

MR. UDIN PRESENTED:

Bill No. 1668:

Report of the Committee on Finance and Budget for May 20, 1999, transmitting two ordinances and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 882:

An Ordinance amending the Pittsburgh Code, Title I - Administration Chapter 161 - Contracts, adding Section 161.32 - Pittsburgh Works!, by requiring a certain percentage of all project work hours to be performed by City of Pittsburgh residents. (SPONSORED BY MR. UDIN) (HEARING HELD FEBRUARY 11, 1999 & FEBRUARY 25, 1999).

Which was read.

Also,

Bill No. 1511:

An Ordinance supplementing the Pittsburgh City Code, Title One: Administrative, Article Eleven: Personnel, by adding Chapter 186 to Recognize Domestic Partnerships and Common Law Marriage Relationships within the Context of City Employment. --(SPONSORED BY MR. COHEN & MR. FERLO)

Which was read.

Also,
Bill No. 1604:

Resolution providing for the issuance of a \$16,636.46 warrant in favor of Noralco Corporation, 1920 Lincoln Road, Pittsburgh, PA 15239, for additional costs directly related to the repair and rehabilitation of an unforeseen party wall with the adjoining structure at 704-706 Second Avenue in completion of the Demolition contract dated January 20, 1999, by and between the City Of Pittsburgh, Bureau Of Building Inspection, And Noralco Corporation for the razing of the structure at 700 Second Avenue.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Mr. Udin:

Mr. President, concerning the bill Pittsburgh Works, it is interesting that the last discussion ended with a call to take the politics out of street repaving because that's exactly what has to happen with Pittsburgh Works. There comes a time when we must put politics aside and do

what is right for the citizens of this city however unpopular it may be with certain interest groups. And now is the time for we the elected leaders of Council to stand up for the citizens of this city.

We have been working over 24 months debating this issue. We have had two public hearings. We have had two special meetings of Council. The bill has been amended in every way that it can be amended to keep its integrity trying to accommodate Council, trying to accommodate the Solicitor, trying to accommodate Mayor Murphy but now it is time to decide we have to vote this bill up or down today.

Pittsburgh Works is about fairness. It's about putting unemployed and underemployed Pittsburghers to work. Some of the discussion around Pittsburgh Works makes it appear as though Pittsburgh Works is about minority employment. There are a lot of working class white Pittsburghers who are working in hotels and hospitals and gas stations and other minimum wage paying jobs who deserve an opportunity to work in construction just like people from the suburbs. This is not a minority bill, it is a bill for the residents of the City of Pittsburgh.

Nothing is more fundamental than the opportunity for a family to be able to take care of itself, to earn a decent living and to raise their children in a decent home. In addition to that, no one has fought the battle better for the families to be able to provide a decent living for their children than organized labor.

My father worked in the laundry workers union and worked in organized

labor was organized by Sam Beggley (phonetic). All of my life coming up I came up in a labor family. I have always been a life long supporter of organized labor and have supported their struggles against management, but have also struggled against instances in organized labor where it was necessary to struggle against racism and to struggle for equal pay for equal rights for women. Organized labor has won significant gains for working families, for improved pay benefits, working conditions. They have also been a strong supporter of civil rights movements and human rights movements.

But recently over the last 30 years the demographics in this city has changed. Many people have left the state all together. The city has lost half its population. Some of the people who have left the city have moved to nearby suburbs but they still work in the city. The Controller's Report and the benchmark reports disclose major discrepancies in unemployment and in income when comparing Pittsburgh to other cities and when comparing African American working families in Pittsburgh compared to white working families in Pittsburgh.

Plan B and the construction of the stadiums and the convention center and other construction will be connected to it held out a promise of opportunity for work for those who are seeking work throughout this city. But there are some who will now turn their back on that promise and turn their backs on the citizens and deny them the opportunity for fair employment. Those who have opposed Pittsburgh Works have raised legal questions. We have answered the legal questions and Pittsburgh Works as it is currently constituted poses no legal constitution

problems. So we can't hide behind legal obfuscation any more. Those who opposed it have raised questions of implementation. Those questions have been answered. They have raised questions about other components in the bill. The bill has been modified in order to answer those questions but in essence the only thing that will really answer the satisfaction of opposition is just to kill Pittsburgh Works. That is not going to happen.

This last week has seen one of the hardest hitting full court presses by lobbying interest groups trying to get Council to back off of Pittsburgh Works that I have ever seen since I have been in this Council. As I stated when I began Mr. President, there comes a time when elected leaders must put aside politics and do what is right for the citizens of this city even when it is unpopular with certain interest groups. Now is that time and I submit Pittsburgh Works for approval.

Mr. Ricciardi:

Thank you and thank you, Mr. President and colleagues. Colleagues, last week I went to great pains to show the support that working men and women and organized labor have with this legislative body and with myself personally. Looking back you can see a number of legislative and policy initiatives that we have come forward with. This legislative body has supported each and every TIF. Each tax incremental financing package that has been brought before us meaning development and jobs and good union paying jobs.

This legislative body and myself personally we supported the empowerment

zone for Hazelwood even though there were great concerns that were put forward by the community. I personally supported the IBEW campus moving to the Southside Works. Something that was not part of the Southside master plan but something IBEW and myself and Mayor Murphy thought was important for the union for development of Plan B and for the Southside.

Also we supported legislation saying only domestic steel can be used in each and every TIF project and only domestic steel can be used for the purchasing of vehicles here for the City of Pittsburgh. We also supported legislation saying that a collective bargaining agreement has to be in place for the new Fulton Hotel with developer. And I personally have had opposition to the housing on Southside Works because it did not have a union component even though that passed this body you don't see housing being built in the Southside without union component on the LTV site. That's because I continue to work in the background opposition to that.

Also the big one I think is very important colleagues we have taken \$7 million out of our operating dollars and directed that to the URA for development fund. It was very difficult because of tight financial constraints made it impossible. But we realized that we needed development, we realized that we needed good paying jobs and union jobs and also this body considered living wage legislation very progressive on the cutting edge and it came with four votes and I think it will pass next year.

So in effect I think all of us and hopefully me personally have always been

a big supporter of organized labor. But we have a bill that needs sincere attention and Councilman Udin eloquently detailed some of those points. The audit brought forward by Controller Tom Flaherty shows that less than two workers per ten city, our city residents on city jobs. City capital jobs, big jobs. Jobs over two hundred thousand benchmarks, economic benchmarks throughout the year shows that they're are pockets of poverty an unemployment in the City of Pittsburgh. I think I can take that a step forward. There are neighborhoods, entire neighborhoods that show a great degree of poverty and unemployment here in the City of Pittsburgh.

The thoughtful audit by Controller Tom Flaherty talks about legislative initiatives and actually recommends a legislative initiative. And it talks about employment requirements. There has been an argument in the past brought forward by one of my esteemed colleagues believing that a residency requirement for construction work here in the City of Pittsburgh would be a hindrance. But the Housing Authority did not witness any type of negative impact when it has requirements, residency requirements on jobs that are done in our housing community.

It did not have a negative impact on competitive bidding, it did not have a negative impact on the quality of work and it did not stop contractors from coming forward to bid on these particular jobs. We have showed that we believe that residency requirements are just and fair and needed in the past. We have shown that with our authorities, the Parking Authority, Pittsburgh Water and Sewer Authority, the Housing Authority, the Urban Redevelopment Authority, the URA

Authority all have residency requirements. Matter of fact all of us I believe or most of us have deprived the policy with the Pittsburgh School Board allowing 25 teachers in the City of Pittsburgh to leave the City of Pittsburgh because of hardship reasons. I think we have all found that a failed policy.

Let's look at some of the past projects. Let's look at the demolition of the Kelly Street apartments in Homewood. Who is getting the job, a Detroit Company. Let's look at demolition of many of the structures on the North Side now for Plan B. Who is getting the job an out of state firm. Let's look at the demolition and some of the work that is going to be done at the Addison Terrace. The reason I know about that they came to the Pittsburgh Water and Sewer Authority looking for money. Who got the job, a New York firm.

So I believe that workers, working men and women in the City of Pittsburgh also need to have that door opened and to hopefully take advantage of some of these good paying jobs. What is interesting if you look at the drafts that have gone I believe there are ten, the bill is very manageable, it can work. And we're not asking for a hundred percent, let's look at ten, we're not looking ten out of ten city residents on a job. We're not looking for nine or eight or seven or six not even five or four. Where asking for one additional laborer per ten that's all we're asking. Less than two on a job now, 35% it's going to increase it by one. That's all we're asking for.

Matter of fact with all do respect to the sponsor of the bill it is not going to bring great employment to the City of

Pittsburgh because of the low percentage but it is a start and it is something that I think needs to progress. I am going to stop my remarks now because I think any further remarks will take away from the presentation that Mr. Udin has brought forward.

All the studies are there, the economic benchmarks are there, the audit by City Controller Tom Flaherty is there, the past history of residency requirements with the authorities and with the Housing Authority is there. No negative impact and I believe that this is a good bill for working men and women in the City of Pittsburgh and it is something that is cried out for. Mr. Udin says it is not a bill that is directly towards minorities alone and that's true. It is for working or those that would like to work, black and white, poor and middle class, from the Southside to the East End to the North Side. And please keep in mind its only one additional worker per ten on a job of \$200,000 or more. Thank you.

Mr. Ferlo:

Thank you Mr. President and members of Council. My voting record for the last twelve years on issues effecting both labor and the community at large as well as low income community, disadvantaged community, special interest advocacy groups whatever you want to describe it as is a matter of public record. I am not going to reiterate credentials to speak now or have an opinion, which I am elected to do.

My comments today are no different than my comments I have made twice before over the last three weeks, regarding this bill. I will reiterate the fact

that I will be supportive of a residency requirement if it is appropriately crafted ordinance. I do not believe and I will not support the bill as it is presently written today. I made that clear twice before in discussions. If the bill proceeds today I will respectfully have to abstain from the bill.

A majority of colleagues including two of my colleagues who I believe supported the bill in committee session last week unless there is a change of position the bill that is before us today is broader. It is inclusive of construction related activity and projects that are not necessarily funded primarily from City of Pittsburgh tax dollars, be it the capital fund or the community block grant Federal dollars that we receive. There are a large number of construction projects and certainly much of the anticipation through the Public Hearing process has been the presumption that this will guarantee a residency requirement and intervention by the city in creating job opportunities for so called Plan B activity. Be it the expanded new convention center or the construction of the stadia football and baseball.

The majority of colleagues have specifically stated along with myself that we did not think that was fair, appropriate and that it was a mistake to be so parochial as we try to build not only the city but the region. That is to say that it is not appropriate at least in my view to impose a strict residency requirement on projects that are primarily funded from taxpayers who create income both at the state level, at the county level, to the regional asset district through the state tax commitment and contribution of the Ridge administration. I don't think it's fair and appropriate that we impose a residency

requirement where we are a very minor player albeit that we are host to the construction project. I don't think it is fair to other residents throughout Allegheny County and through South Western Pennsylvania whose incomes have been used to generate well for this construction activity. I do not believe that we should shut the door or require the residency requirement that is currently crafted by Councilman Udin.

So I will not vote for that language that is in the bill today. I thought that there would be a lack of attendance today. I see Councilwoman McDonald is here to her credit, she had another meeting that she had to be at. I do not have the written amendments today and I am sure Councilman Udin is loath to hear any notion of yet an additional round of amendments and I certainly am sympathetic and respect that. But I will prior to a final vote either today or next week, next Wednesday if the bill does have the majority and is either recommitted or to table, I will continue to work and suggest various amendments that I think are needed.

I also stated last week that I will not support any bill that creates dissention or division among the organized labor community whether it is the building construction trades in particular or any bonafide union in the City of Pittsburgh. I am not going to support a clamor that some how we have the have's and have not's and the focus has to be that it is the Union versus those that also want to work. I want to create opportunities both for unionized family members and workers and trades people and I don't want that to be in conflict with our obligation to increase opportunity for those who have

not benefited from the economic upturn in this economy. Clearly we have a problem.

I think Councilman Udin has eloquently stated, I think much information has been provided to this Council through Public Hearings and our own outreach and our own respective neighbors. It is clear that we have a glaring situation where disproportionately the City of Pittsburgh residents have not benefited fully from the economy that we have to take a measure. That is why I believe in some type of residency requirement. I also believe that if we are going to expand an intervention of a residency requirement into areas where we have supplied a TIF or a tax increment financing, or where we are doing land assembly or where we are minor playing and other sectors are involved, I think it is equally fair to talk about post employment.

I think that is perfectly appropriate before final action on this bill that we be concerned not only on the issue of temporary short term construction employment, but that if we are going to intervene I have more residents in my council district that are equally concerned about post employment opportunities at business that we have provided millions of dollars to even more so than the construction trades industry itself. I think that is a legitimate issue that if we are going to craft an appropriate bill, I think we need to continue to debate and hone in on that issue. I would offer specific amendments if provided the opportunity by next Wednesday if the bill were to be recommitted.

Secondly, I do not believe and I am not going to cast a criticism as to why there was lack of attendance at any given meeting. But I do think it is important that

the building construction trades unions and or the masters builders group themselves are prepared to further commit advocacy outreach recruitment for apprenticeships that I think we should take them up on that offer. I think the administration has begun to work on that process as well as Director Parees. But I hope that we also can become a player in that to intervene in that process along with the community representatives that are here today. I believe we should at least have one opportunity where if we have to meet in the Mayor's conference room fine. But, I think we should provide an opportunity for that discussion to happen with the trade representatives that are here today so we can more specifically focus in on commitments for apprenticeships some of which started a couple months ago with the recruitment at the convention center. I believe there are some further activities planned in the months of June and July.

I would like to continue to exhaust that initiative and that opening that we have now and I don't think we have fully done that. I think abruptly voting on this bill today would close the window on that opportunity.

Ms. McDonald:

I don't know if the votes are here. Let's cut to the chase it looks like there are four. I think that this Pittsburgh Works legislation, the substance of it, the spirit of it we need this in Pittsburgh, we need this in Pittsburgh. Personally I don't want to let it die here on a split vote. I would personally prefer to recommit it if Councilman Ferlo as well as others that he feels possibly can be enjoined to get something going. Right now if this were not recommitted if this failed and this would be put forth on a referendum, I

would like to please revisit the civilian review board process. That was not an easy process, and it came close to all Council members, it came close that we didn't even have the number of signatures needed to put it on a referendum.

Yeah we had 18,000 or more going in but after it was whittled down which you think signatures won't be whittled down in a referendum, I don't like to go play games like this. I think the media would love it but I personally don't. I think we need a good piece of legislation that is going to be effective for the City of Pittsburgh for residents all residents. This is too important. I don't want to gamble, not with this one.

Again if votes are not there I would prefer Councilman Ferlo if you have an amendment that would make this passable, that will not water it down any further than what it is because believe me it is indeed very much so watered down. In fact people are very disenchanted with the fact that it is so watered down already and Councilman Udin has had to accept amendments and concessions and compromises in working with people in dialogue and he's frustrated. I don't blame him, I am frustrated, but I guarantee you he's probably the most frustrated at the table as sponsor of this bill.

But the bottom line, if we cut through all the emotion, all the anxiety and frustration there is a spirit about the bill that we need to have legislative for the City of Pittsburgh. And yes it maybe watered down but I may want a steak but if I am hungry enough I will accept a hot dog until I can get that steak. So I would rather have something than nothing. And if we go through a very tedious agonizing

process of a referendum or any other kind of way of forcing the issue we maybe talking about six months to a year or more and then a lot of us have missed the boat, missed the boat.

So I would rather have something move forward. I don't know what amendments Councilman Ferlo has. I don't even know what the other Council members have. I don't even know if the unions would find some kind of way of working with this of massaging it to make so that there is something doable. I don't know but right now I am very uncomfortable with letting it die. And going through the motions of the agonizing process of a possible referendum. I would rather recommit and try. I think it is too important to Councilman Udin, I think this is so you utterly important all the work you put in, all the work that people have put in, all the support you have had it is just too important to let it go at this time. The city needs this. And if it takes another week, if it takes another month, fine. I would rather agonize that way in massaging it and making it doable this way at least we will have something on the table by the end of this year as compared to some other process where we don't know where that's going to go.

Mr. Cohen:

Thank you. I think as difficult as this is for many of us and I am certain for the sponsor Councilman Udin I think recommitment maybe in order here. I supported this bill on Wednesday with my aye vote and I certainly support the spirit behind the bill because of the tremendous disparity of employment in the City of Pittsburgh. At the same time I made clear

on Wednesday and the Wednesday prior and I think prior to that that I do not believe that it should apply to Plan B construction really for the same reason that Councilman Ferlo stated. Although there is the additional reason which is that City Council just does not have authority over the Public Auditorium Authority or any other authority and city funds are not going directly to Plan B.

So that I frankly thought was going to be resolved between the Wednesday's meeting and today's meeting and I see that that has not been done. I would like to see that resolved before moving forward with this as the definition in the bill the describes it is still -- it certainly can be interpreted to mean that it would apply to Plan B funding. I don't think that is appropriate because no city dollars are going into Plan B funding and because this City Council does not have authority over the Auditorium Authority and just from my perspective that needs to be resolved.

That aside I do think that the bill is a positive step forward and frankly will help to close the gap of employment that we have in the City of Pittsburgh and that's something that is just a crucial thing that we need to do to move this city forward. When we have projects, capital projects in the city, we have to make sure that everybody, everybody is eligible for those projects.

The Chair:

I want to echo I have been meeting with Mr. Ferlo the last two days, the labor leaders. I can't support the bill as it is written. But I want to commend Mr. Udin. He probably has us on second base, you're talking about jobs. I have a problem we

are targeting labor and construction jobs only. If you look at labor jobs I got a call yesterday trying to help a young man get one of these labor jobs. When I called him he didn't pass the test. He's a good friend of mine, his son. For these labor construction jobs I believe we need better recruiting, better education, more training we have transportation issues, and ever since this bill came up I have been meeting with labor and they are willing to open their doors, they are willing to hire apprentices to start the programs. So no matter what happens from here on, they have that commitment but I believe they have to come to the table as Mr. Ferlo said I have been in every one of your meetings we have sat through them I believe labor has to be there.

But I think we're missing the big picture here. I want to commend you for what you are doing now but what about the Lazarus jobs, we put \$48 million of public money into Lazarus and does anyone in this room know how many jobs are Pittsburgh jobs? Anyone? When we first started the Lazarus discussion three, four years ago and Mr. Ferlo was probably the first to do it, Mr. Onorato every one of you we want to hire Pittsburghers. Everyone who came to the table asking us for a TIF we say yes, we are going to hire Pittsburghers. How many is Mellon hiring? PNC? ALCOA? Does any one have an idea? No. We have nothing, no commitment. These are trained and probably in a couple of months a young person or an older person can be trained to work a computer, to work at the bank, to work at Lazarus, with the basic training just like these three young ladies I had in here before. They're ready to go to work at Kane Hospital with a small training program.

Unfortunately they're not getting in our Pittsburgh Public Schools, we're asking these construction jobs or any where from two to five years and that's great. Let's put people into the program and I will hold labor here and they have committed to open their doors and put apprentices on, I am all for that and they are. Let's hold them to a number and let's find and recruit the right people that can do those jobs. But we're missing the big picture if we're going to have total employment in Pittsburgh.

We have a TIF study coming up right now which Council has approved. We will be finalizing it now with CMU to discuss TIF's and where they're going. I think a big part of that has to be if you are going to accept a TIF how are you going to put Pittsburghers to work? How are we going to train them and where are you going to recruit them? We have a big job ahead of us. I think Mr. Udin to your credit you have done a lot of hard work and I don't believe anyone wants to close the door on your initiative, but it is a bigger picture than just construction jobs. I say that with respect.

My parents are union people, I am a union person, every one in this room has probably worked a union job. But there is a greater bigger picture out there that will open opportunities for everyone and I don't think we should just target one industry with this Pittsburgh Works. If Pittsburgh is going to work, everyone should be apart of it. Plan B already, Mr. Cohen, is out the door.

We have missed the opportunity for Plan B. Don't kid yourself media. There is not one job here for Plan B with

\$500,000,000 that has nothing to do with construction. How about all the ticket jobs, all the jobs are there, they are not available. So this bill is very important to all of us to do more than just that. I will leave the final word for Mr. Udin.

Mr. Udin:

Well I am afraid it may not be the final word. I hope no children are watching television. You know people say that there are two things you don't want to see getting made that's sausage and legislation.

Michael Jackson perfected a dance called the Moonwalk. It is a dance step that is swift backward motion while appearing to be going forward. And obviously Michael Jackson is not the only one who can do a good Moonwalk.

Lip service is being given to interest in the residents of the city while at the same time the opportunity to actually do something concrete for the residents of the city is being Moonwalked. We have had debate on this issue for over 24 months. There is no amendment that could not have been thought of and brought forward during that time. The only thing that is being sought now by efforts to recommit are amendments that will neuter this bill entirely. Because that's the only thing that will resolve some of the irreconcilable differences that exist with some of the building trades leadership that you have been in discussion with for the last 48 hours or the last week or the last several weeks. It will not be resolved.

Sometimes we can't slide through the middle, Mr. President. Sometimes we have to stand up for residents that vote us

into office. Sometimes we have to tell our friends and special interests groups sometimes indeed we even have to tell the union leadership no. No. No. We are going to stand up with the residents who voted us into office.

I am not willing to support recommitment of this bill. I had also been inclined rather than to have the bill defeated, I was inclined to table the bill. I will not do that either. I think the residents of this city need to see straight on who supports them and who is doing the Moonwalk. I will not recommit this bill. I will not support a recommitment. There are no amendments that will strengthen this bill. The only amendments that are being brought forward or that people seek to bring forward are bills that will de-neuter this bill.

I will not be apart of it. Vote it up or down. Stand with the people or don't stand with them but I am not interested in not one other week of discussing amendments that are not in the interest of fair opportunity for the residents of this city. So let the people speak.

If you don't want to stand with the people, vote it down, vote no. The people will speak. There are ways for the people to speak when their elected leaders refuse. There are ways to make it happen. It will be on the referendum and the people will speak. And I think you know and I know and the unions know exactly how they will speak. They will speak in their own interests even when these elected leaders will not. Vote the bill right now.

Mr. Ferlo:

Thank you, Mr. President. I am going to sit on my emotions right now and

try to focus in on the bill. Unless my colleagues and the majority have changed their mind, I want a clearer understanding of what we think we're voting for.

Now I have said from the beginning that I support a residency requirement. I believe that we have a right legally and morally to introduce a residency requirement but I believe it is the best public policy to do that on tax dollars that are directly funding projects in the City by city taxpayers. I do not believe that the large number of development projects including the three that I mentioned of the stadia and the convention center expansion deserve or that it is appropriate for the city, this Council right now to vote on a bill that would extend the residency requirements as drafted in this ordinance to those projects. I believe the bill as it is worded presently does that.

Now maybe some of my colleagues who say that they don't want it to be inclusive of that, maybe they're reading it differently and I am welcome to hear their comments on that. Or maybe they have sincerely changed their mind and that is great and I respect that. But I want to make it clear that I believe that it is inappropriate, I also think it is bad public policy. I don't think the parochialism is appropriate and I think in the end it will prove to be counter-productive. I think there will be a backlash by regional supporters of this city. I think it will be divisive to our approach of the state legislature in getting other funding for projects in this city. We disproportionately in the city because we are host of these major projects will make out like a bandit after they are completed. We will get six to eight million dollars in increased general operating revenue to a

badly struggling city budget from increased taxation.

The worse thing I can think that can happen is to be so parochial as to have a backlash from the state legislature or others who would say well fine Pittsburgh then we are going to let the whole county share from the revenues that are going to be generated from this construction activity. I don't want to see that happen.

I think we need to go back with the administration and legislature to work on various issues infecting the city budget. I am not supporting that level of parochialism. I don't think it is appropriate, I don't think it is fair and in the end I think it is going to be counterproductive. I do support the rest of the intent of the residency if it is extended to the capital operating budget, the capital bond funds which are city tax dollars and the city's \$29 million plus Community Development Block Grant of federal dollars that we get to target the city revenues. I believe we should extend it to that and at this point to that only.

I also think it is inappropriate as a matter it is not popular obviously in this room but I think it is inappropriate to turn our backs on a cooperative relationship that we can build with the representatives of the building construction trades union. Some of them are here today and others in the master builder group. I think we should not provide an opportunity to turn our backs on those folks. I think to the extent that we can garner from them increased cooperation, I think it will result in more meaningful, lasting employment in the construction trade short term to the extent that we can further modify the bill to look at residency requirements for post

employment. I strongly believe we should continue to work and hone in on that aspect of the bill.

If we are going to rush to judgment, however my colleagues feel that he's exhausted public debate and I can see that there has been lengthy public debate albeit ten different versions of the bill then I will have to abstain on the bill today.

Mr. Udin:

On the bill I don't want this bill distorted. Giving 65 percent of the jobs in this city to people who do not live in this city can hardly be described as parochialism. That is not parochialism. Adding one additional job for every ten can hardly be described as parochialism. That's nonsense. If we only limit the construction projects that are only funded with city bond dollars as Mr. Ferlo suggests that would only apply to two percent, two percent of the dollars that are appropriated in the 1999 capital budget because no longer are projects only funded by capital dollars. That is just not way the construction projects are funded.

They're funded by a complex financial plan that involves federal dollars, state dollars, county dollars, private dollars. City tax dollars are put together with other funding dollars to make projects happen. That's the way it happens now and for the city residents to be relegated only to two percent of the jobs that are funded by the capital budget is to deny them fair opportunity at all. So that is not supporting the city residents. It is denying them the opportunity to work.

Now the Three Rivers Stadium, the City of Pittsburgh residents bailed out

Three Rivers when Three Rivers was no longer able to pay its debt service from revenue generated by Three Rivers. We bailed, the city taxpayers bailed out the Pittsburgh Pirates. The city taxpayers are now being asked to bail out the Pittsburgh Penguins. When you look at the ownership of PNC Park, and the Steeler Stadium, the ownership is being kept in public hands so that it can be kept tax exempt so that the Steelers and Pirates don't have to pay taxes on it. That's a contribution by the taxpayers of this city. That's a contribution now we're talking about selling them the land that surrounds the stadiums in order for them to develop more business enterprise in addition to the stadiums. That is a contribution by the residents of this city.

The infrastructure that will be built around these stadiums, the streets, the water sewers, the water treatment, all of that is contributions by residents of this city to these projects. The city services, that will accompany these projects, the snow removal, the sanitation, the police service, the fire services, all of that is contribution by city taxpayers to these projects and you are going to tell me now that the city taxpayers don't have major investments in this. The city taxpayers are bearing the burden, the lions share of the burden in these projects, and they should have a right to fair employment and not be relegated to two percent of the capital budget.

Mr. Onorato:

Let me just have some brief comments. I agree with Councilman Udin on one point and that is there aren't any amendments that I see coming forward that is going to change the way I vote and I

am going to be a no vote today and I am going to explain why. The one thing that I have not been afraid to do here and I will continue to do that is to vote and explain why. And to the taxpayers of the City of Pittsburgh I honestly believe that while the goals we're trying to achieve are great goals, this bill won't get us there.

What I look at when I see this bill is parochialism for the City of Pittsburgh and at a time when it is the worst thing we can possibly do. We should not be relegated to just two percent, we should not be relegated to 35 percent or any percentage. If the percentages are small in the Controller's Report but we have to work to get those numbers up and there is way to do it. I don't think this bill does it. I think a residency requirement is the worst think we can possibly do for the residents of the City of Pittsburgh at this time because in the long run it is going to put us at a competitive disadvantage. While every one of us might hate the fact of federal or public dollars goes to private enterprises, it is a fact of life. We lost Kaufmann's Warehouse on the North Side to a facility in Ohio that was 100 percent financed by the state.

We decided to get into the game and deal with some of these larger corporations not just the Pirates and the Steelers. We are doing it with TIF financing all across the city, but the problem that I have with the residency requirement is I am looking towards a future. What happens when we start doing the 3 TIF's, the three (inaudible) are doing a TIF for the Homestead Works, and they are doing major development right across from your district Mr. O'Connor, across the bridge? I don't want a residency requirement in Homestead. I want to be

able to have a shot at those jobs if I am a city resident.

What about this airport corridor? The problem is transportation. I will be the first to support funding and I will say it today to get transportation to that airport and to get city residents to those jobs out there. The fact of the matter is seven years ago Councilman Udin was absolutely right the City of Pittsburgh was bearing the burden of these regional assets. But the regional assets district, which is a county sales tax bailed the City of Pittsburgh out. It's that simple. It took over the Zoo, it took over Phipps, it took over the Aviary, it took over Three Rivers Stadium debt. It took over the financing of Plan B along with states financing. We're in this together. We're in this with Homestead, we're in this with Bellevue, we're in this with Ross, no matter where you look.

We are all county residents paying that RAD tax. We're also are state residents paying that tax and while the controller's report showed 16% and I am not happy with that number, that's a disgrace that number. But what it doesn't show and I don't know the answer and maybe we can get this, where do the majority of the residents that are paying our wage tax where are they working? We're are the other jobs they are working? Is every single person working in the City of Pittsburgh? How many of our residents work outside the city? I don't know that answer; I would like to find out. I am not talking construction. I am just talking anywhere. We're do we work?

It's so complicated in this day of economics of how we fund projects between the public sector participating either the state the county, with the private

sector participating be it a TIF be it a bond issue. You just don't know exactly where all the pieces are coming from and you can't really pin point any more that the City of Pittsburgh put X amount of dollars in here because the bottom line on Plan B is that the City of Pittsburgh is a big winner. Regardless of where you stand on Plan B if you are for it or against it, the assets are in our municipality. They're ending up in the City of Pittsburgh and any spin-offs of hotels are going to happen in the City of Pittsburgh.

Just like the airport has been a boom for Beaver County and for that whole corridor out there, Plan B is going to do that here and we benefit from that. And sure I want the residents of Pittsburgh to work and there are ways to do that. We pay for transportation of these sites. We make sure that barriers don't get put up in other municipalities that way they can't work or there are numbers the caps. And more importantly, we have to start focusing looking at Conley Trade School, looking at the other trade schools and make sure that they are educating and producing the right results. So that we can produce 600, 700 to a thousand young people, black and white, going to the testing sites of all these areas and making sure they are passing those.

We do it on the front end we can make sure that Pittsburgh participates in all these jobs. But if you start tying it to financing, in the long run it is going to come back to bite us because if you look at the numbers City of Pittsburgh is a very, very small percent of the public financing of Plan B by ourselves. We participate as county residents, we participate as state residents and we are all in this together when it comes to financing a lot of these

projects. I would hate to see ten years from now that there are 132 residency requirements throughout Allegheny County and we're doing more work calculating, the accounting of how many percentage of people working where as opposed to growing this region.

Mr. Cohen:

I would like to propose an amendment and also propose to move to waive the rules requiring that the amendment be in writing and that amendment saying the following. That this legislation shall not apply to the construction of PNC Park, Steelers Stadium and the expansion of the David Lawrence Convention Center.

Mr. Udin:

You might as well just kill the legislation. What is the point of voting on it? Let's just kill the legislation.

Mr. Cohen:

Councilman, from the very beginning what I have said is I don't believe that this should apply to Plan B funding because there are not city funds that contribute to Plan B funding. I have said that four weeks ago, three weeks ago, two weeks ago, last week but that I can support this if it applies to city projects, all city projects, funded projects. And I think that there is a majority on Council, maybe I am wrong, that believes that this should not apply to Plan B funding because of it being both city and county.

I also wear two hats I sit on the Public Auditorium Authority and I can't be inconsistent in those votes. I can support

this bill if it did not apply to Plan B funding. Which is what I have said many times in the past and I would like to propose to waive the rules requiring written amendments and propose that amendment.

MR. FERLO seconded the motion for discussion.

Mr. Udin:

The reason why I was willing to delay the discussion, Councilman Cohen, on this matter is because I think it deserves much more in depth analysis of what the city participation is in those regional funds. And if the city participation is significant, then Pittsburghers should have the opportunity to work on Plan B funds or on Plan B projects. So I was willing to pass this legislation without being certain at the time that whether or not it applies to Plan B.

But your amendment would exclude opportunity for working on the stadiums just because they're other funds involved in the stadium financing other than Pittsburgh funds. Pittsburghers are a part of the region. Pittsburghers are apart of the county. Pittsburghers are part of the state and Pittsburghers are part of the Federal government. We contribute to all of those tax bases. So when those tax bases come back to Pittsburgh residents, that's not money that they're receiving from charity that's their own tax money coming back to them in the form of revenue sharing. So the Pittsburgh residents have a substantial stake in Plan B and it would be wrong to exclude them from the opportunity to work on Plan B because it is funded by other sources.

I think that the bill that would limit the amendment, that would limit this legislation to projects other than those projects that are funded in the so-called Plan B, the stadium, the Pirates stadium, the Steelers stadium and the Convention Center is totally uncalled for and would eliminate any effectiveness of Plan B at all. What have you got left? Then all you have left is Mr. Ferlo's amendment, which is two percent of the capital budget.

Mr. Onorato:

On the amendment, I have to vote no on the amendment because it implies that we want a residency requirement on what is left. I have to agree with Councilman Udin on this point; I am not for the residency requirement with that amendment or without that amendment. The point here is there should be no number. If the number of city residents on these jobs goes above the 35 percent that is great. I don't want to give a percentage that we are putting a cap or a floor on how many city residents should go. They shouldn't be tied to how we calculate the public financing because we are county residents, and we are state residents. If we end up with 50% of the employment because we do it right on the front end and get our people to apply for these jobs passing these tests, which we can do, I believe we can do it and the transportation that is needed.

I don't want a cap, I don't want a number. I want to go for the most we can get and do it on the right end of it. I think either with that amendment or without the amendment, we are talking about numbers and it sends the wrong signal from this municipality and we shouldn't be talking about a fixed number.

Mr. Cohen:

There is a motion and a second on the floor.

Ms. McDonald:

Just because of the principle, Councilman Cohen, I appreciate you trying to, I know you are trying very desperately too. But again it goes back to the point that we're not ready to discuss amendments or changes of any kind on this piece of legislation until we have had time to seriously sit down and think of what amendments or what do you want do with this. We may come back and it still may be voted down. I don't know but at least I would like to give it at least another shot. I am not tired of discussing it to all of you all. I am not tired of discussing. I would like to continue to discuss it and massage it or whatever. I have said it before and I will say it again it is not time for the amendments. I would rather go for a recommittal.

Council President Bob O'Connor, would you vote for a recommittal on this legislation? The motion is on the floor. We will do that. I am going to make a motion for recommittal because again this legislation belongs to Pittsburgh and therefore we should it is incumbent upon all of us to do whatever is necessary to see if we can get more Pittsburghers back to work. I don't know how that's going to look as a final outcome. But I do know -- excuse me I appreciate that. On the motion -- I still have the floor thank you. But there are women who go into the labor 24 hours, they don't get tired after ten and say woo I am tired. I am going to stop. It doesn't work that way. If you really want

to get something done you cannot tire. It is called perseverance.

I am willing to persevere. I am willing to recommit it. I am willing to discuss it some more and some more and some more until we get something done. I think we do -- we're close to it. This is probably one of the biggest pieces of legislation that we have had. So it is going to take sometime and it is going to be agonizing. It is going to be tiring. But again I am not going to vote for that amendment in due respect Councilman Cohen, again I do appreciate your efforts but I would rather recommit so I will be voting no on the amendment.

Mr. Cohen:

I will withdraw my motion. I can count no's. I withdraw my motion and in favor of a motion to recommit.

Ms. McDonald:

Motion to recommit.

Mr. Ricciardi:

Discussion.

Mr. President, I have never ever been disrespectful to this body. However, I have also been around nine years. And I have seen the process in dynamics in the past. It's time to vote on this bill. I totally disagree with my colleague, Valerie McDonald. It is not a question of perseverance, it is not a question of revisiting this bill. Councilman Udin has been bantering this bill for two years. We have gone through ten drafts. We have gone through Public Hearings, we have gone to talking in the hallways, we have

gone to Committee Sessions, we have discussed this bill. I know the process here. The only reason that this bill would be recommitted is to run for cover. The only reason this bill would be recommitted is to posture on as many sides as you can. This side, this side, this policy this principle.

I will say one thing for our friend right now, Mr. Onorato, I always know where Dan stands. Always. And I complement him on that. But let's face it, we should vote for this bill up or down or even worse, even a worse scenario is to recommit this bill and further water it down to only include less than two percent of the projects that are happening out there. I can tell you about 30th Street in the Southside it has more than city funds. They're state and Federal funds there. I mean let's be honest with each other. Let's either vote up or down. If you vote for the bill, great. If you vote against the bill, I believe are you are voting on principle. I believe that you really are opposed to the bill. But let's vote.

It is something that I believe we owe this responsibility to the taxpayers, to people for or against this bill. I have seen the dynamics before and let's not go through those hoops. Vote for the bill or vote against the bill. I am asking you to vote against recommitment. Let's get on with the business of this Council.

Mr. Ferlo:

I think I want to speak to that policy also. I would like to know how many private meetings have taken place where out of state and non-city contractors and consultants have been discussed for work with Plan B? Maybe someone could

answer that question for me.

Mr. Ricciardi:

I am sorry is that directed towards me? I have no idea what you're talking about.

Mr. Udin:

Call the question.

The Chair:

On the vote, on the recommittal?

Mr. Ricciardi:

Is there a recommittal on the table?

The Chair:

Was there a second on the recommittal?

Mr. Ricciardi:

Can I ask who made the recommittal motion? Was it Valerie McDonald? Ms. McDonald, I sat through the Committee Session last week and you sat silent. I listened to you very closely today and you did not argue for the merits of the bill or against the bill. I am asking you to please withdraw your recommittal and let's move on with this bill.

Ms. McDonald:

To simply respond I have argued vociferously before on the bill. The reason I sat silent on the bill is I think I have made myself clear time and time again. I was ready to vote for it. I have been on board and been on board and been on

board, until I have one, two, three, four, and the only comments I basically made was the entity that would be a resource center and Councilman Udin respected that wish and took that out of the final draft in respect for my concerns about that.

So the reason I sat silent is because I tried not to -- I mean public -- I would think the public sometimes gets tired of listening to the same thing over and over and over and over again. I have said my comments, they know where I stand. That's why I sat silent. I was ready to vote. Why I am saying what I am saying now is because I do believe in the spirit of the bill. I am tired of the emotions and the politics and all the game playing. I really want to see something happen for Pittsburgh. I am very sincere about that. I am not ready to do a political game and we will stand on principle. I appreciate that.

Most of the time, in fact all of the time I stand on principle. But there is a time that you have to get what you can get and sometimes you have to take that pridematic approach and this is my way of saying pridematically can we get something going on here? And that's all I really want is something to go on. That is the reason for the recommittal. It's not to do against the principle. It's not to disrespect, it is just that I look at this legislation and all the work that went into it by Councilman Udin as well as many people that have supported this legislation, that is what I am looking out for, is the people who support it. I have no personal gain on this. I am not going to work on a construction site. But I would like to see others. I would like to see more Pittsburghers work on the site. But if the recommittal fails, I am ready to vote aye on the legislation.

Mr. Udin:

I would just want to speak again against the recommittal because I am absolutely certain that I have not heard either informally or formerly any amendments discussed that would be acceptable as far as I am concerned as the sponsor of the legislation. The only amendments that are being discussed are amendments yet yes they will make the union leadership happy, but they will kill this bill. They will kill this bill. There are no amendments out there to be discussed in a recommittal that will keep the integrity of this bill. They do not exist.

If those who have amendments think that they have some amendments that will keep the integrity of this bill, let's hear them right now. And then we will recommit. I will support a vote of recommittal if I could just hear somebody say what it is that they want to amend this bill to that will keep the integrity of this bill. It does not exist. The only amendments are amendments that will kill this bill. And so therefore there is no point in recommittal let the people see who stands with them and who does not. Let's vote this bill up or down right now.

Mr. Ferlo:

Motion to withdraw my second.

Ms. McDonald:

Motion to withdraw my recommittal.

The Chair:

Any more discussion? This does

include the stadiums as I am reading it.

The ayes and noes were taken agreeably to law, and were:

AYES:

Ms. McDonald Mr. Ricciardi
Mr. Udin

NOES:

Mr. Cohen Mr. Diven
Mr. Hertzberg Mr. Onorato
 Mr. O'Connor
 (Pres't)

(Mr. Ferlo abstained on the bill because with the residency requirement he cannot support the bill as it is drafted.)

Bill has not received the legally required number of votes, the bill is defeated.

Mr. Udin:

There is a related ordinance being circulated for proposal directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum question which would amend the Pittsburgh Code, Title 1, Administration, Chapter 161 Contracts. Adding Section 161.33 Pittsburgh Works. Requiring a certain percentage of all project work hours on certain City of Pittsburgh construction contracts to be performed by City of Pittsburgh residents and providing for enforcement, due process and penalties for violations. It is a motion.

Mr. Ferlo:

Point of order. I am just trying to get a point of order clarifying what the intent is? If it is a new bill is being introduced --

Mr. Udin:

The intent of the bill, this ordinance that you have before you is to have Council authorize the elections department to put Pittsburgh Works on referendum ballot.

Mr. Ferlo:

As a matter of procedure, I would respectfully ask that the rules be suspended so that our colleague can submit this as an official ordinance, which could have been done or should have been done under presentations. I respect the fact that he's doing it now, but I think procedurally it should be introduced as an ordinance.

MR. UDIN moved to suspend the rules.

MR. RICCIARDI seconded the motion.

The Chair:

Discussion?

Mr. Ferlo:

I think the Chairman or any individual is free to submit an ordinance. I think our colleague should submit the ordinance. It should be held if he wants to waive Rule 8, we will waive Rule 8 and we have to follow a procedure here.

Mr. Udin:

No, I am trying -- my intention is

to vote this bill up immediately.

Mr. Ferlo:

We can't. My point of order is just --

Mr. Udin:

Who is chairing this meeting?

Mr. Ferlo:

Point of order, Mr. President. My point of order is under Roberts Rules of Orders statutes of the City of Pittsburgh, City Clerk procedures and everything that this Council is about. We cannot legally vote on an ordinance the same day it is introduced. We can introduce an ordinance. We can ask that we waive Rule 8 to expedite it. I am perfectly willing to vote for that. But we just can't introduce and vote on a bill. It is inappropriate as well illegal and a violative of the Home Rule Charter.

Mr. Udin:

The ordinance will be amended to a referendum or a resolution, which will be introduced at the end of the meeting. And then all of my colleagues will have an opportunity to express their support or opposition to a non-binding resolution.

The Chair:

So you will put it as a resolution at the end of the meeting?

Mr. Udin:

Will that be acceptable, Mr. President?

The Chair:

Yes.

Mr. Udin:

Can you check with the parliamentary?

The Chair:

Yes. At the end of the meeting you will have the resolution.

We still have two more bills in front of us to vote on. Roll call vote on Bills 1151 and 1604

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Ms. McDonald
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

(Mr. Onorato and Mr. Hertzberg voted no on Bill 1511.)

Bills have received the legally required number of votes and have passed finally.

MR. ONORATO PRESENTED:

Bill No. 1670:

Report of the Committee on Planning, Zoning and Land Use for May 20, 1999 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1424:

Resolution approving a Conditional Use exception under Section 993.01(a)A(4) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to James and William Rudolph for authorization to demolish a residential structure and replace it with a parking area with a maximum of 12 parking stalls to be located at 5608 Wilkins Avenue on property zoned "R2" Two-Family Residence District, 14th Ward. (HEARING HELD MAY 13, 1999).

Which was read.

Mr. Ferlo:

Mr. President, marriage and procreation will continue notwithstanding passage of 1511.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

The bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were.

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin

Mr. O'Connor
(Pres't)

AYES Nine **NOES** None

Bills have received the legally required number of votes and have passed finally.

MS. MCDONALD PRESENTED:

Bill No. 1671:

Report of the Committee on Housing, Economic Development and Promotion for May 20, 1999 transmitting sundry of resolutions to Council.

Which was read, received and filed.

Bill No. 1614:

Resolution providing for an agreement with Byrd R. Brown Law Offices for legal representation as the Solicitor of the Pittsburgh Commission On Human Relations in 1999, at a cost not to exceed \$20,000.00.

Which was read.

Also,

Bill No. 1615:

Resolution approving Execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Jeanine C. Bacon for the Sale of Block 7B Lot 380 in the Twenty First Ward of the City of Pittsburgh for \$310.00 (Council District No. 6 - 1410 Hamlin Street - Off street parking and sideyard). --- (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

Which was read.

Also,

Bill No. 1616:

Resolution approving execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Chartiers Nature Conservancy, Inc. for the sale of Parcels 12A and 12B in the 28th Ward of the City of Pittsburgh, in Redevelopment Area No. 24, Block 69B Lot 2 -- Ingram and North Duane Avenues -- Council District No. 2 (recreation area). The purchase price of \$50,000.00. --- (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

Which was read.

Also,

Bill No. 1617:

Resolution approving execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Earl K. Russell and Valerie Jo Russell for the sale of Parcels 100 and 108A in the 13th Ward of the City of Pittsburgh, in Redevelopment Area No. 19, Block 174G Lots 265, 264 and 263 -- 1210-1218 Pineridge Street -- Council District No. 9 (garage and sideyard area). The purchase price is \$2,000.00. . --- (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

Which was read.

Also,

Bill No. 1618:

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property, located at 477-479 Kilbourne Street, in Council District Number 5, in the 15th Ward of the City of Pittsburgh owned by Francis Rende and designated as Block 56-D and Lot Numbers 131, 132 and 164 in the Deed Registry Office of Allegheny County. (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

Which was read.

Also,

Bill No. 1619:

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire the following property in the 15th Ward of the City of Pittsburgh privately owned, and designated as in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund. (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

56-N-190
5109 Ladora Way
Guy Oliveri

56-N-189
5111 Ladora Way
Guy Oliveri

56-N-188
5113 Ladora Way
Guy Oliveri

56-N-187
5115 Ladora Way
Clara Karafa

56-N-186
5117 Ladora Way
Hartman/Kissell

56-N-184
5119-27 Ladora Way
Hartman/Kissell

56-N-178
5129-37 Ladora Way
Hartman/Kissell

56-N-172
5139-47 Ladora Way
Hartman/Kissell

56-N-166
5149-57 Ladora Way
Hartman/Kissell

Which was read.

Also,

Bill No. 1620:

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property, located at 161 Brahm Street, in Council District Number 1, in the 26th Ward of the City of Pittsburgh owned by William Pegg and designated as Block 46-J and Lot Number 132 in the Deed Registry Office of Allegheny County. (PRESENTED BY MS. MCDONALD & MR. HERTZBERG)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES **Nine** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

MR. COHEN PRESENTED:

Bill No. 1672:

Report of the Committee on Lands, Buildings and Procurement for May 20, 1999, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1231:

Resolution authorizing the Mayor and the Director of General Services to amend the city's Minority Business Enterprise/Women Business (MBE/WBE) guidelines so as to allow a 25% minority and 10% female at the job site

construction related employment goal for all city and authority contracts in excess \$250,000.00. (**SPONSORED BY MR. FERLO**)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills? Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Ferlo	Mr. Hertzberg
Ms. McDonald	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. O'Connor
	(Pres't)

AYES **Nine** **NOES** **None**

Bills have received the legally required number of votes and have passed finally.

MR. DIVEN PRESENTED:

Bill No. 1673:

Report of the Committee on Public Safety Services for May 20, 1999, transmitting one resolution and one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1576:

Resolution authorizing Raymond V. DeMichiei, Operations Supervisor, Bureau of Communications, Department of Public Safety to execute for and in behalf of the City of Pittsburgh all required forms and reports for Loan Agreements and Grants under the Federal Nunn-Lugar-Domenici legislation.

Which was read.

Also,

Bill No. 1634:

An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, District Map No. 12 & 17 by changing from "R2" ("RT-2") Two family Residence and "R3" ("RM-3") Multiple Family Residence to "RP" Residential Planned Unit Development certain property having frontage on the northwest corner of Forbes and Murray Avenue, 14th Ward, District 8.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called; all those opposed vote no.

Clerk, please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Diven
Mr. Hertzberg	Ms. McDonald
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	(Pres't)

(Mr. Ferlo voted no.)

Bills have received the legally required number of votes and have passed finally.

MR. FERLO PRESENTED:

Bill No. 1674:

Report of the Committee on Engineering and Construction for May 20, 1999, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1607:

Resolution amending Resolution No. 667, effective November 30, 1998, entitled "Providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts for design and construction of improvements to various Overlooks, including but not limited to the West End Elliott Overlook; and providing for the payment of the cost thereof," by increasing the total project allocation by \$250,000.00 from \$225,000.00 to \$475,000.00.